

**ORDER**

**8040.1B**

## **Airworthiness Directives**



**January 24, 1989**

**DEPARTMENT OF TRANSPORTATION  
FEDERAL AVIATION ADMINISTRATION**

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## FOREWORD

This order sets forth policy and provides the procedures for preparation and issuance of airworthiness directives (AD) by the aircraft certification directorates under authority contained in Sections 313(a), 601, and 603 of the Federal Aviation Act of 1958 (FAAct) and in Part 11 of the Federal Aviation Regulations (FAR). Pursuant to Part 39 of the FAR, AD's are substantive rules which must comply with the Administrative Procedure Act and the Federal Register Act.

Airworthiness directives identify aeronautical products in which an unsafe condition exists, where the condition is likely to exist or develop in other products of the same type design, and prescribe corrective actions to be taken or the conditions and limitations under which the products may continue to be operated.

Airworthiness directives are key elements of the safety rulemaking responsibilities placed upon the Federal Aviation Administration (FAA) by the FAAct. Together with the safety standards imposed by type certification and airworthiness certification requirements, AD's provide an additional, indispensable level of regulation to ensure that products defined in FAR 39 remain airworthy at all times, despite the effects of such factors as material wear, fatigue, corrosion, and deterioration. These factors may pose substantial hazards to the continued airworthiness of aircraft which can be prevented by the prompt dissemination of accurate AD's.

Because AD's address critical safety problems, they may impose costly repairs or modifications and short deadlines for making those repairs. It is, therefore, very important that AD's are fully supported by documented facts and analysis in the rulemaking docket and that the preamble material clearly explains why the action is necessary.

This order is intended as a working tool to provide meaningful guidance to FAA employees responsible for the preparation and issuance of AD's. It must be emphasized that adherence to this order is very important if the AD system is to be fairly and consistently administered and well understood by all persons who are affected by AD's. Therefore, all FAA employees involved in the AD process must read and become familiar with applicable provisions of this order.



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## CHAPTER 1. GENERAL

SECTION 1. INTRODUCTION

1. PURPOSE. This order sets forth FAA policies and procedures for the development, issuance, and distribution of airworthiness directives (AD) in accordance with applicable statutes and regulations.
2. DISTRIBUTION. This order is distributed to the Executive Director for Regulatory Standards and Compliance, the Associate Administrator for Regulation and Certification; to division level in the Office of Program and Resource Management, the Office of Rulemaking, the Office of Accident Investigation, the Office of Aviation Safety, and the Office of the Chief Counsel; to division level in the Aviation Standards National Field Office and to branch level in the FAA Academy; to branch level in the Flight Standards Service; to all employees in the Aircraft Certification Service; to all regional Assistant Chief Counsels; to branch level in the regional Flight Standards Divisions and to all Flight Standards field facilities; and to all employees in the Aircraft Certification Directorates and Aircraft Certification field facilities.
3. CANCELLATION. Order 8040.1A, Airworthiness Directives, dated April 24, 1969.
4. EXPLANATION OF CHANGES. This order incorporates the material formerly contained in Order 8040.1A, as revised, and the following substantive changes.
  - a. Order Format Changes.
    - (1) The order was restructured to conform with instructions of Order 1320.1C, FAA Directives System, dated October 12, 1982.
    - (2) Chapter 1 is organized to contain policy, authority, and responsibility material.
  - b. Regulatory Document Content and Format. Many changes were made to ensure that the instructional material aligns with Executive Order 12291, the DOT Regulatory Policies and Procedures, the Administrative Procedure Act (APA), the Federal Register Document Drafting Handbook, and numerous interpretive letters of policy and instruction issued by the Aircraft Certification Service, Flight Standards Service, and the Office of the Chief Counsel.
5. DELEGATION OF AUTHORITY. With the exception of Chapter 1, the Director, Aircraft Certification Service, is delegated authority to issue changes to this order, subject to the concurrence of the Office of the Chief Counsel. Only the Administrator is authorized to approve changes to Chapter 1 of this order, which establishes policy, delegates authority, and assigns responsibility.
- 6.-10. RESERVED.

## SECTION 2. AUTHORITIES AND RESPONSIBILITIES

### 11. ISSUING AUTHORITY.

a. Part 11 of the Federal Aviation Regulations (FAR) authorizes the Director of Airworthiness and the regional directors to issue AD's. On July 1, 1988, the Washington headquarters organization was restructured to implement straightline reporting of regional program divisions. Order 1100.154, Interim Delegations of Authority, dated August 24, 1988, was issued to modify the existing delegations of authority. Since the Office of Airworthiness has been renamed the Aircraft Certification Service, all references to the Director of Airworthiness in Part 11 of the FAR should be construed as references to the Director, Aircraft Certification Service. The Manager, Aircraft Certification Directorate, in the Central, Northwest Mountain, Southwest, and New England Regions, has authority and responsibility for the aircraft certification program assigned and is delegated authority for issuance of AD's.

b. Order 8000.51, Aircraft Certification Directorates, dated February 1, 1982, established the four aircraft certification directorates and assigned responsibility for FAR Parts 23, 25, 27, 29, 33, and 35, including issuance of AD's for all aeronautical products (both foreign and domestic) for which they have responsibility. Therefore, AD's concerning specific products will be issued by the following respective offices:

- a. For FAR Part 23 and earlier Civil Air Regulations (CAR) small airplanes, by the Small Airplane Certification Directorate.
- b. For FAR Part 25 and earlier CAR transport category airplanes, by the Transport Airplane Certification Directorate.
- c. For FAR Parts 27 and 29 and earlier CAR rotorcraft, by the Rotorcraft Certification Directorate.
- d. For FAR Parts 33 and 35 and earlier CAR engines and propellers, by the Engine and Propeller Certification Directorate.
- e. For gliders and balloons, or products for which no type certificate was issued, AD's will be issued by the directorate in which the manufacturer is geographically located or, in the case of foreign products, by the directorate having geographic cognizance for the foreign authority.

12. AIRWORTHINESS DIRECTIVES REVIEW. Each office responsible for AD issuance shall prescribe procedures for AD review when AD action is being considered in accordance with Order 8100.5, Aircraft Certification Directorate Procedures, dated October 1, 1982.

a. Within the directorates, each AD should be reviewed by appropriate segments of Aircraft Certification, Flight Standards, Assistant Chief Counsel, and any other office which the directorate manager deems necessary.

b. Responsibilities. The initiating office will assure that the substance of each prepared AD is technically accurate, adequate, and completely justified, and that documentation of these findings is included in the rulemaking docket.

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(1) The initiating office will work with the manufacturer of the affected product and appropriate industry groups, provided such action will not delay issuance of the AD. This data gathering period is necessary to obtain all available information in order to assess properly the need for AD action and to develop necessary corrective action.

(2) When a decision has been made to proceed with a notice of proposed rulemaking (NPRM) or the drafting of an emergency rule begins, the rule regarding ex parte communications clearly applies from that period on. Further contacts with the manufacturer or industry groups should be restricted to verifying information to be referenced in the AD (service bulletin numbers, dates, part numbers, serial numbers, etc.) and obtaining other information about the product or compliance particulars necessary for the Federal Aviation Administration (FAA) to produce a correct AD. In no case should anyone outside the Government be provided with a copy of the complete NPRM or immediately adopted rule prior to its publication in the Federal Register, or transmittal to Oklahoma City or Washington in the case of a priority letter or telegraphic AD. (See paragraph 41, Ex Parte Rulemaking Contacts.)

c. Factors which the initiating office shall consider in its review are:

(1) Compliance with FAR 39. Does an unsafe condition exist? Is the condition adequately described by supporting documentation? Is the condition likely to exist or develop on other products of the same type design, or is it unique? If the condition exists, is the cause of the condition known?

(2) Corrective Action. Is the required action feasible, and will it correct the unsafe condition? Are compliance times realistic? Are parts or materials available? Are referenced documents available? Are inspection procedures, if called out in the AD, complete? Have the inspection procedures been evaluated by an FAA manufacturing or airworthiness inspector to ensure the inspection is adequate to detect the defects? Is grounding appropriate?

(3) Interim Action. Can interim operating limitations or conditions be prescribed to permit continued operation of the aircraft when a potential grounding situation exists?

(4) Type of Rule. Is an NPRM acceptable, or does flight safety dictate the need for an emergency rule (immediately adopted rule)? If the need is for an emergency rule, how should it be distributed? Does the urgency of the corrective action warrant it being issued initially by priority letter or telegram prior to publication in the Federal Register? (See paragraph 132.) The Assistant Chief Counsel will provide guidance to ensure compliance with the APA.

(5) Effective Dates. Does the proposed effective date allow sufficient time for the AD to be received by the owner or operator before it becomes effective? (See paragraph 102.)

(6) Cost/Controversy Assessment. The initiating office must ensure that sufficient cost data on each NPRM and final rule AD have been developed and evaluated. A determination must be made as to whether the proposed action will: (1) have a "significant impact on a substantial number of small entities" under the criteria of the Regulatory Flexibility Act (see Order 2100.14, Regulatory Flexibility Criteria and Guidance, dated July 15, 1983); (2) determine whether it is a "major" regulation as defined in Executive Order 12291; and (3) consider the proposed action's impact on federalism (Executive Order 12612). Executive Order 12291 must be followed in accordance with DOT Regulatory Policies and Procedures (44 FR 11034; February 26, 1979). (See paragraph 32.) In addition, the initiating office must evaluate the environmental and energy impact of each rule in accordance with Order 1050.1D, Policies and Procedures for Considering Environmental Impacts, and Public Law 94-163.

(7) FAA Rulemaking Policies. The initiating office shall comply with the applicable provision of Order 2100.13, FAA Rulemaking Policies, dated June 1, 1976.

(8) Major Rule AD's. An AD may be major because of its applicability, user impact, potential for controversy, cost of compliance, or relationship to previous problems.

13.-20. RESERVED.

### SECTION 3. STATUTORY AUTHORITY

21. REGULATORY BASIS. Title VI of the Federal Aviation Act of 1958 (FAAct), as amended by Section 6 of the Department of Transportation (DOT) Act, defines the Administrator's powers and duties regarding the promotion of safety of flight of civil aircraft. Part 39 of the FAR establishes and describes when and why an AD will be issued, and Part 11, Subpart E, prescribes the procedures to be followed in rulemaking proceedings for AD's.

22. DEPARTMENT OF TRANSPORTATION ACT. Under Section 6(c)(1) of the DOT Act (enacted October 15, 1966), all functions, powers, and duties of the FAA, and of the Administrator and other officers and offices thereof, were transferred to and vested in the Secretary of Transportation. However, the statute further provided:

"That there are hereby transferred to the Federal Aviation Administrator and it shall be his duty to exercise the functions, powers, and duties of the Secretary pertaining to aviation safety (other than those relating to the transportation, packing, marking, or description of hazardous materials) as set forth in sections 306, 307, 308, 309, 312, 313, 314, 1101, 1105, and 1111, and titles VI, VII, IX, and XII of the Federal Aviation Act of 1958, as amended. In exercising these enumerated functions, powers, and duties, the Administrator shall be guided by the declaration of policy in section 103 of the Federal Aviation Act of 1958, as amended. Decisions of the Federal Aviation Administrator made pursuant to the exercise of the functions, powers, and duties enumerated in this subsection to be exercised by the Administrator shall be administratively final, and appeals as authorized by law or this Act shall be taken directly to the National Transportation Safety Board or to the courts, as appropriate."

23. FEDERAL AVIATION ACT OF 1958. Section 313(a) of the FAAct of 1958, as amended, authorizes the Administrator "to perform such acts, to conduct such investigations, to issue and amend such orders...pursuant to and consistent with the provisions of this Act, as he shall deem necessary to carry out the provisions of, and to exercise and perform his powers and duties under, this Act." Section 313(a), in conjunction with Sections 601 and 603, constitutes the basis of the FAA's authority to issue AD's.

24. FEDERAL AVIATION REGULATIONS. Part 39 of the FAR specifies the products on which AD's are issued and the conditions necessary for issuance. An AD should be considered only when an unsafe condition exists in a product that is likely to exist or develop in other products of the same type design. The action applies to any unsafe condition, whether resulting from design defect, maintenance, or other cause.

25.-30. RESERVED.



#### SECTION 4. REGULATORY RESPONSIBILITIES

31. REGULATORY FLEXIBILITY ACT. Under the Regulatory Flexibility Act of 1980, 5 U.S.C. 601, the economic impact of regulations on small business entities must be analyzed and reported. Airworthiness directives must be analyzed in accordance with the Act. All NPRM's and final rules following an NPRM must contain a certification of the FAA's finding as to whether or not the AD will have a substantial impact on a significant number of small business entities. A brief statement of the reasons for the determination is all that is required if the regulation does not have a substantial impact on a significant number of small entities. If the regulation is substantial, a regulatory flexibility analysis must be prepared and the impact discussed in the regulation. (See Order 2100.14.)

32. EXECUTIVE ORDER 12291. Executive Order 12291, issued February 19, 1981, has the stated objective of improving the quality of Government regulations and reducing unnecessary, burdensome regulations where possible. Each AD must be analyzed in accordance with the Order to determine if it has a major impact on the public. The AD must contain a statement of the reasons why it is impractical to follow the impact analysis procedures. An emergency AD is exempt from the impact analysis requirement, unless it is later determined that the AD will have a major impact on the public.

33. DEPARTMENT OF TRANSPORTATION REGULATORY POLICIES AND PROCEDURES. The DOT Regulatory Policies and Procedures, issued February 26, 1979, require a determination to be made when issuing an AD as to whether it will have a significant economic impact on the economy or the public. A regulatory evaluation must be prepared for each nonemergency AD where the cost impact is more than minimal.

34. ORDER 2100.13, FAA RULEMAKING POLICIES. Airworthiness directives are regulations which must comply with the applicable provisions of Order 2100.13, dated June 1, 1976.

35. ADMINISTRATIVE PROCEDURE ACT. The APA requires each agency to give public notice of substantive rules which it proposes to adopt and to provide an opportunity for interested persons to present their views on it. This requirement may be omitted only in a situation where the agency, for "good cause," finds that notice and public participation are impracticable, unnecessary, or contrary to the public interest. If this determination is made, the preamble must include the agency's finding of good cause and a statement of the reasons for it.

36. EXECUTIVE ORDER 12612. Executive Order 12612, issued October 26, 1987, requires agencies to make a federalism assessment of the impact regulations, legislation, or policy statements or actions will have on the states, the relationship between the national Government and the states, and the distribution of power and responsibilities among the various levels of government. The same kind of analysis that is used to determine whether an action is "major" under Executive Order 12291, "significant" under the DOT Regulatory Policies and Procedures, or has a "significant economic impact on a substantial number of small entities" under the Regulatory Flexibility Act should generally be used to determine the sufficiency of the federalism implications.

37. FEDERAL REGISTER ACT AND REGULATIONS PROMULGATED THEREUNDER  
(44 U.S.C. CHAPTER 15). These set forth the requirements and basic format for the preparation and issuance of regulations (including AD's) that are published in the Federal Register. The Federal Register Document Drafting Handbook (Revised Edition, April 1986) should be used as a reference.

38.-40. RESERVED.

SECTION 5. POLICY AND GUIDANCE FOR PREPARATION AND  
ISSUANCE OF AIRWORTHINESS DIRECTIVES

41. EX PARTE RULEMAKING CONTACTS. Any communication between the FAA and outside parties, during which time the rulemaking proceeding is open, constitutes an ex parte contact, regardless of which party initiates the contact. Written comments made during the comment period, which are directed to and recorded in the docket, are not ex parte. If the rulemaking proposal is changed as a result of the ex parte contact, the substance of the comment must be placed in the rulemaking docket, and the rulemaking must be reopened by a supplemental notice. This supplemental notice will allow the public to have equal access to the information and the opportunity to present their views. The procedures to be used when initiating or receiving such communications follow:

a. Communications received prior to the time a rulemaking proceeding is open that do not form the basis for rulemaking or affect the rule need not be recorded in the public docket.

b. If oral information having a significant bearing on the substance of the regulatory document is received prior to the issuance of the AD, that information must be noted in the preamble of the AD and placed, in memorandum form, in the regulatory docket. If the information is in written form, the original of the material must be placed in the docket. All individuals should be advised, at the beginning of the communication, that substantive comments relating to the regulatory proposal will be placed either in the docket or in the preamble to the rule. If questions should arise concerning ex parte contacts, contact either the Assistant Chief Counsel or the Office of the Chief Counsel, preferably before the ex parte contact is made.

c. Once a notice or an advance notice of proposed rulemaking has been issued, ex parte contacts should be discouraged. Individuals wishing to comment should be instructed to write their comments and send them to the docket as requested in the rulemaking.

d. Subsequent to the closing date for the receipt of public comments, ex parte contacts regarding the rulemaking should be avoided. However, if they do occur, a written summary must be placed in the docket immediately after the communication is received and discussed in the preamble of the final rule along with the comment, if time permits. If the FAA determines that the rule is, or should be, substantively changed as a result of the communication, a supplemental notice must be issued reflecting that change to provide all members of the public equal access to the information and an equal opportunity to present their views.

42. INCORPORATION BY REFERENCE. Title 1, Part 51, of the Code of Federal Regulations (CFR) (the Federal Register regulations) provides for material to be incorporated by reference in a rule without the need for publication in full text. Nevertheless, the regulations require the material to be reasonably available to all persons affected by the rule. Material incorporated by reference in a rule must have approval by the Director of the Federal Register prior to issuance as a final rule. (See paragraphs 82 and 98.)

43. EXCHANGE OF CONTINUING AIRWORTHINESS INFORMATION. Amendment 94 to International Civil Aviation Organization (ICAO) Annex 8, "Airworthiness of Aircraft, Section 4," obligates the United States to exchange continuing airworthiness information with ICAO Member States. Bilateral agreements between the United States and other countries also require exchanging AD information. This requirement is met by ensuring that ICAO Member States that have notified us of registration of a U.S.-manufactured aircraft on its registry will receive all applicable AD's.

44. INTERPRETATIONS OF PREAMBLE LANGUAGE. Airworthiness directives are substantive rules which must comply with the rulemaking provisions of the APA and Part 11 of the FAR. Two of the requirements of the APA are of particular concern.

a. The first requirement, 5 U.S.C. 553(b)(3)(B), provides that rules can legally be issued without notice when there is sufficient justification to provide good cause for dispensing with notice and public rulemaking procedure. If good cause in this instance is used, that finding and a brief statement of the reasons for its justification must be incorporated in the preamble. Good cause to dispense with notice should be the exception to normal procedures. The issuance of an NPRM should be the norm. Good cause cannot be justified in a case when there is delay because the agency has not acted expeditiously or because of some other administrative problem. Rather, good cause, with respect to 5 U.S.C. 553(b)(3)(B), can only be justified if the agency can demonstrate that notice and public rulemaking procedure is "impracticable, unnecessary, or contrary to the public interest." Clarification of these requirements follows:

(1) Impracticable refers to situations where the proper execution of agency functions would be unavoidably prevented if rulemaking procedures were followed. For example, in an accident investigation or other service experience, or if further analysis discloses that certain regulations must be issued or amended without the delay of notice and public comment, it is impracticable to give notice.

(2) Unnecessary means where the public is concerned, there is no particular interest. This would be true when an amendment merely involves a minor or technical change (i.e., corrections, clarifications, editorial changes and, in some cases, amendments which do not increase the burden of compliance). However, AD's that are relieving in nature, that provide an alternate means of compliance, or that are being revoked should be issued through the normal rulemaking process.

(3) Public Interest supplements the terms impracticable or unnecessary by requiring not only that public rulemaking procedures should not prevent an agency from operating (impracticable) but also that lack of public concerns in the rulemaking warrants waiver of the notice and comment requirements (unnecessary); i.e., both conditions exist (not generally applicable to AD's).

b. The second requirement, 5 U.S.C. 553(d), provides that publication or service of a substantive rule shall be made "not less than 30 days before its effective date." However, that section also provides three exceptions to the 30-day requirement. They are:

- (1) Cases where it is a substantive rule that grants or recognizes an exemption or relieves a restriction.
- (2) Instances where the rule is interpretive or a statement of policy.
- (3) The agency otherwise finds "good cause" and publishes that finding and its reasons with the rule.

c. The main purpose of the delayed effective date, as set out in the legislative history, is to give the public an opportunity to adjust its conduct to the new rule before penalties for its violation can be imposed. Especially when the rule, as finally adopted, differs from the rule originally proposed, or when no prior comment period was afforded, the 30-day period may be a very important opportunity for the affected public to educate the agency about the new rule's likely effect. Thus, there is good reason for the agency to demonstrate why a rule should take effect in less than 30 days.

d. Two separate and distinct APA requirements, therefore, may need to be addressed, depending on the circumstance of issuance. However, in those cases where the agency issues a final rule to take effect in less than 30 days without the benefit of an NPRM, the two justifications may overlap. In such a case, care should be taken to ensure that the justification statement is phrased to account for both requirements of 5 U.S.C. 553.

45. CATEGORIES OF AIRWORTHINESS DIRECTIVES. Airworthiness directives are issued when one of three situations occur:

a. A Notice of Proposed Rulemaking Followed by a Final Rule. This type of AD cites an unsafe condition which is treated as follows:

- (1) The proposed AD is published initially as an NPRM which solicits public comments regarding the proposal; and
- (2) Following the NPRM, the AD is published in the Federal Register as a final rule. Comments received in response to the NPRM must be discussed in the preamble, along with adequate consideration of the comments. Changes to the proposed AD must be discussed and the reasons for which the changes were made. If no changes have been made or no comments were received, the preamble must include a statement to that effect.

b. Final Rule With Request for Comments. In certain cases, the compliance time may be too long for the AD to be published as an immediately adopted rule, but so short that operators would not have sufficient time to schedule and plan compliance with the AD without a great burden if published as an NPRM. In these

cases, the AD may be published as an immediately adopted rule with an effective date of 30 days after publication. In the preamble, comments may be solicited, but if no change is to be made in the AD as the result of comments, no further publication is necessary. If a change is to be made as the result of comments, the AD must be published.

c. Emergency Rule. In this situation, there is an unsafe condition (cited in the AD) which poses an immediate safety problem. Emergencies are treated as follows:

(1) The AD is issued initially by telegram or priority letter directed to owners and operators. However, if circumstances do not warrant telegraphic or priority letter distribution, the AD is simply published as a final rule.

(2) If the AD is initially issued by telegram or priority letter, publication in the Federal Register as a final rule should follow in a timely manner. Since this will in all likelihood be done without the benefit of an NPRM and will take effect immediately, the requirements of both 5 U.S.C. 553(b)(3)(B) and 5 U.S.C. 553(d) must be satisfied.

(3) There may be cases where insufficient time exists to publish an NPRM, but the final rule will become effective immediately or shortly after publication. In that situation, only the requirements of 5 U.S.C. 553(d) need to be satisfied.

#### 46. AMENDED, SUPERSEDED, REVOKED, OR CORRECTED AIRWORTHINESS DIRECTIVES.

When an AD is amended or superseded, it must be by rulemaking action published in the Federal Register. Such an action must meet the requirements discussed in paragraph 44 above. An AD correction must be published in the Federal Register unless the error is discovered before the AD is filed for public inspection, in which case the AD may be recalled for correction. "Superseded" means a new AD was issued to replace an earlier one and that the earlier one is no longer effective. Superseding an AD is preferred to amending an AD. "Amended" means that the AD was changed due only to minor or editorial problems or for clarification. "Revoked" means that an AD was removed as an express act of legal termination. "Corrected" means that the AD contained an error and was corrected.

a. Amended AD's. When an AD is amended, the original paragraph designations must be retained. If this is not done, maintenance record entries showing compliance with specific paragraphs will be rendered ambiguous or incorrect when new or different actions are required under the old paragraph designations or if paragraph designations are changed.

#### b. Superseded AD's.

(1) When an existing AD requires extensive revision due to a change in its applicability, inspection requirements, corrective action, compliance times, or methods of compliance, etc., supersede the earlier AD. The superseding AD is a new AD for which all the requirements of a new AD (notice, incorporation by reference, etc.) must be considered.

(2) In the summary and supplementary information paragraphs, and at the effective date statement at the end of the AD, include a statement that the new AD supersedes the earlier AD. It may also be desirable to include the statement at the end of the applicability statement. Credit should be given for work already accomplished under the superseded AD where appropriate.

c. Revoked AD's. Revocation is appropriate when it is discovered that the AD was issued based upon data or information found to be in error and the AD should not have been issued. In making the determination to revoke an AD, remember that the revocation will reinstate and permit the possible use of an unsafe condition. Accordingly, prior to the revocation, every precaution should be taken to assure that an unsafe condition will not be permitted in the future. AN AD SHOULD NOT BE REVOKED SIMPLY BECAUSE A MANUFACTURER HAS ASSURED THE FAA THAT ALL AFFECTED AIRCRAFT HAVE COMPLIED WITH THE AD.

d. Corrected AD's.

(1) If an error is discovered in an AD BEFORE it is filed for public inspection (usually filed on the day before publication in the Federal Register), the AD may be recalled for correction. If the correction is simple, the issuing office should telephone the Rules Docket Staff, AGC-10 (for correction at the Federal Register) and the Engineering and Manufacturing Branch, AVN-110 (for correction of individual AD's and biweekly updates prior to mailing).

(2) If an error is discovered in an AD AFTER it is filed for public inspection, the AD may be corrected only by the issuance of a signed correction document submitted in the same manner as the AD. The document must be keyed to the earlier AD and the error clearly identified. The heading should be repeated using the same docket number and amendment number used on the earlier AD. The ACTION line should read CORRECTED FINAL RULE.

(3) If an error is made by the Federal Register, telephone AGC-10, which will notify the Federal Register of the error. No further documentation will be required.

NOTE: Simple corrections are defined as typographical errors and minor editorial changes.

47. AIRWORTHINESS DIRECTIVES FOR SURPLUS AIRCRAFT OF THE U.S. ARMED FORCES. AD's issued against surplus military aircraft which have been issued civilian type certificates should, insofar as practical, be on the basis of civil operating experience or appropriate military experience that is similar to civil operations.

48. AIRWORTHINESS DIRECTIVES AFFECTING PRODUCTS IN PRODUCTION. When AD's are issued against products in current production which dictate a specific design change, the production controlling region must assure that all design changes required by the AD are incorporated on production products prior to any airworthiness certification or approval. AD's which merely institute a one-time or a repetitive inspection (or replacement) may not necessarily require a production change.

49. AIRWORTHINESS DIRECTIVES TO CHANGE LIFE LIMITS. AD's must be issued to apply more restrictive life limits to products when the current life limits contribute to unsafe conditions. Merely changing the life limits in a manual by the manufacturer, even if FAA-approved, does not mandate compliance by operators of aircraft in service.

50. AIRWORTHINESS DIRECTIVES TO REVISE FAA-APPROVED FLIGHT MANUALS. Merely changing the limitations section of a flight or continued airworthiness manual, even if FAA-approved, does not make compliance by the aircraft pilot or operator mandatory. Required changes in limitations may only be accomplished by the AD process under FAR 39. When an AD changes limitations specified in an FAA-approved airplane or rotorcraft flight manual or placard, compliance would be complete when the manual revisions are made, the placards are installed, and a maintenance record entry is made. Service bulletins which have been FAA-approved do not necessarily mandate compliance for aircraft in service.

51. AIRWORTHINESS DIRECTIVES FOR PRODUCTS ALTERED BY A SUPPLEMENTAL TYPE CERTIFICATE OR FIELD APPROVAL. When an aeronautical product has been altered by a supplemental type certificate (STC) or field approval, and it is later determined that an unsafe condition or design defect is a direct result of the product alteration, an AD should be issued against the basic type-certificated product and made applicable only to those products which incorporate the STC or field approval.

52. AIRWORTHINESS DIRECTIVES FOR NON-TYPE-CERTIFICATED ITEMS.

a. When an unsafe condition exists in an appliance or other item which is installed in so many different aircraft (or engines) that it is impractical to issue AD's against each aircraft or engine, the geographic directorate in which the appliance or item is manufactured is responsible for AD issuance. The AD should identify known type-certificated products incorporating the appliance or other item, as well as indicate that the appliance or other item may be installed on other products.

b. If the unsafe condition results from the installation of the item in a particular make and model aircraft, the AD should be issued for the aircraft by the accountable directorate having type certificate responsibility for that aircraft.

NOTE: Refer to Order 8100.5 for procedures for issuing AD's where more than one directorate is involved.

53. AIRWORTHINESS DIRECTIVES FOR FOREIGN-MANUFACTURED PRODUCTS. Airworthiness directives are to be issued against foreign-manufactured products type certificated under FAR 21.29 (CAR 10) when an unsafe condition exists and mandatory corrective action is necessary. Additionally, immediate action should be taken on all foreign AD's and service bulletins classified as mandatory by a foreign civil airworthiness authority to determine the need for parallel AD action within the United States, as generally required by international agreement. Under bilateral agreements, the same credence should be given to the



civil airworthiness authority certification and continued airworthiness activities as is given to similar findings made by the FAA directly, provided the action is consistent with the various acts, orders, and procedures for rulemaking activities. In any case, based on the technical information provided in each instance and the finding by the foreign authority that an unsafe condition exists, the office issuing the AD should make an independent finding that an AD is warranted.

54. AIRWORTHINESS DIRECTIVES TO CORRECT MAINTENANCE-RELATED DEFECTS.

Airworthiness directives may be issued to specify maintenance procedures well beyond normal good maintenance practices. They may also be issued when it has been determined that an unsafe condition is likely to occur if unique maintenance practices are not accomplished in a timely manner. Airworthiness directives will not be issued to assure the use of normal maintenance practices on a product where individual cases of improper maintenance or lack of maintenance have contributed to an unsafe condition. Corrective action for those situations should be taken through normal Flight Standards maintenance communications channels such as general aviation airworthiness alerts, maintenance bulletins, and notices.

55. FEDERAL REGISTER PUBLICATION OF AIRWORTHINESS DIRECTIVES. All AD's must be published in the Federal Register. Since AD issuance constitutes rulemaking, publication in the Federal Register is mandatory as the means of public notification required by the 5 U.S.C. 553 of the APA.

a. Notice of Proposed Rulemaking. An AD published in the Federal Register as an NPRM must be subsequently issued as a final rule or withdrawn. The adopted rule or NPRM withdrawal should be published in a timely manner.

b. Emergency AD. When an AD is issued initially by telegram or priority letter, publication of the final rule in the Federal Register should be done in a timely manner.

c. Airworthiness Directive Revocation. When revoking an AD, a notice of revocation must be published in the Federal Register as a final rule.

d. Advance Notice of Proposed Rulemaking (ANPRM). An ANPRM may be issued and published in the Federal Register to obtain preliminary comments and assistance from all interested persons. The procedures for preparing and issuing an ANPRM are similar to those used for an NPRM.

56. AIRWORTHINESS DIRECTIVE DOCKET. An AD docket will be maintained by the Regional Counsel of the issuing office. The docket must include sufficient facts and documentation to support the AD action. In addition to verified copies of the NPRM, telegraphic or letter AD, and final rule AD (as appropriate) and public comments, it shall contain justification documents that support the FAR 39 action, the AD Executive Summary, any applicable manufacturer's service instructions, FAA reports, summaries or lists of facts, data or reports that support the AD action, AD Review Board minutes, the AD Coordination Record, and an economic evaluation, if required.

57.-60. RESERVED.

## SECTION 1. FORMAT OF AIRWORTHINESS DIRECTIVES

### 61. GENERAL INFORMATION.

a. Airworthiness directives are published in the Federal Register as proposals or final rules and must conform to the Federal Register requirements. An AD preparation guide and example AD's are shown in the appendixes of this order. In this chapter and in the appendixes, brackets [ ] and parentheses ( ) are used to indicate examples or optional information.

b. It is important that AD's are uniform in format, style, and excellence. Although some of the recommendations contained in this order could be accomplished by an equally good alternative, adherence to this order is very important if the AD system is to be fairly and consistently administered and well understood by all persons that are affected by AD's. Every employee in every office who is involved in the drafting of an AD is expected to follow this Order.

62. GUIDELINES FOR TYPING AIRWORTHINESS DIRECTIVES. Federal Register format should be followed in drafting and publishing AD's. Many of the following instructions are taken from the Federal Register Document Drafting Handbook, Revised Edition, dated April 1986, which should be used when drafting AD's.

a. Paragraph Identification. The preamble material does not need to be designated with letters or numbers. Within the text of the AD, each separate instruction, paragraph, and subparagraph must be designated using letters and numbers. Such designation facilitates referencing a paragraph when revisions are necessary and when noting compliance to portions of an AD in maintenance records. If the text of the AD is brief and only involves one paragraph, designation is not necessary. The following are required Federal Register paragraph and subparagraph symbols:

- (a) (b) (c) - Identifies major paragraphs
- (1) (2) (3) - Identifies first subdivision
- (i) (ii) (iii) - Identifies second subdivision
- (A) (B) (C) - Identifies third subdivision

b. Paper and Margins. Use bond paper 8 1/2 x 11 inches in size. Provide a 1-inch margin at the top, bottom, and right side and a 1 1/2-inch margin on the left side.

c. Page Numbering. Number all pages consecutively at the bottom of the page. Omit the number from the first sheet.

d. Spacing. Double space all text material. Paragraphs are to be indented. Exceptions are noted in Chapter 5 of the Federal Register Document Drafting Handbook.

e. Pictures/Drawings. Pictorial material should be included in AD's only when necessary to better clarify or explain the requirements of the AD (Note: The Federal Register requires original artwork or a clear reproduction of photographic quality.)

f. Underscoring. Use underscoring only to denote those words the author(s) wants printed in italics. Do not use underscoring for emphasis.

g. Punctuation. The punctuation, capitalization, and compounding of words should follow the 1984 edition of the "U.S. Government Printing Office Style Manual."

63.-70. RESERVED.

## SECTION 2. TEXT AND STYLE OF AIRWORTHINESS DIRECTIVES

71. LANGUAGE USAGE. Airworthiness directives shall be drafted in the style of the recodified FAR, and words and phrases shall have the same meanings as defined in the FAR.

a. Legal Drafting Language. The most important idea in legal drafting is to say what is meant accurately, cohesively, clearly, and briefly. Care should be taken to ensure consistency with all definitions stated in the FAAct of 1958 and the FAR. Substance and arrangement are important to form because no amount of language simplification can make sense out of a regulation when the underlying approach is confused. Of course, simplification of language is not necessarily the ultimate goal in each case. Technical and legal accuracy is the prime consideration. Nevertheless, clarity and brevity are also important objectives.

b. Use the Active Tense. Regulations speak as of the time they are being used, not as of the time they are issued. Whenever possible, use the active voice instead of the passive.

Do not say:

Say:

The attach bolts shall  
be inspected....

Inspect the attach bolts....

Do not say:

Say:

The alterations shall be  
accomplished in accordance  
with....

Alter in accordance with....

c. Selection of Words, Terms, and Phrases.

(1) Because different words are presumed to refer to different things, do not use different words to denote the same thing. In other words, do not use synonyms or synonymous expressions in the same context; e.g., "fitting" and "attachment." Conversely, because the same word or phrase is presumed to refer to the same thing each time it is used, it should not be used to denote different things.

(2) Use specific terms rather than general. Avoid the use of the term "aircraft" except in titles of companies, FAA divisions, etc. For example, use airplanes, helicopters, or gyroplanes, etc., as applicable.

(3) Where the same idea can be accurately expressed either positively or negatively, express it positively.

Do not say:

Say:

Does not apply to modified  
airplanes....

Applies to airplanes that  
have not been modified....

(4) Do not include informational or explanatory material of a nonmandatory nature as a requirement in the body of an AD. If it is necessary to present such material, it should be in a separate note such as:

NOTE: The date code stamp is steel stamped into the lower side of the flap actuator housing. Disregard ink stamp numbers.

(5) Avoid use of the phrase "particularly in the [ ] area" in an inspection requirement of an AD. Should it be necessary to include such information, put it in a note following the paragraph setting out the inspection requirement similar to the following:

NOTE: During the inspection required by paragraph (a), particular attention should be directed to the [ ] area.

(6) Avoid the use of adjectives that are not precise (i.e., "excessive" wear, "adequate" inspection, and "sufficient" clearance). Such terms cannot be enforced. In their place, define what is excessive wear or adequate inspections.

72.-80. RESERVED.

### SECTION 3. ITEMS TO BE INCLUDED IN AIRWORTHINESS DIRECTIVES

81. HEADING FOR PROPOSED OR FINAL RULES. The heading will begin with the Federal Register billing code "4910-13" which identifies the FAA. Use the following heading (block style), insert the proper docket number (and amendment number for final rules), and identify the aeronautical product or appliance affected by the AD, including any military counterparts specifically to be included in the applicability. When the product is type certificated, enter the current type certificate (TC) holder's name. When no TC or STC was issued, enter the manufacturer's name. When a component of a type certificated product is the principle subject of the AD, the heading may include a reference to the component. (Example: Airworthiness Directives: Boeing Model 727 Series Airplanes Equipped With....)

[4910-13]

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No.                   ]; [Amendment No. 39-   ]

Airworthiness Directives; [TC Holder's or Manufacturer's  
Name and Model of Aeronautical Product Affected by AD]

82. PREAMBLE FOR PROPOSED OR FINAL RULES. A proposed or final rule document to be published in the Federal Register must include a preamble which will inform a reader, who is not an expert in the subject area, of the basis and purpose for the rule or proposal. Since owners in the field will receive the AD preamble in addition to the AD instructions, it is essential that the preamble is not merely part of the record of the AD. It is also an important source of information for the person complying with the AD because it clarifies the AD and puts it in context. The preamble (see example AD's in the appendixes) shall contain the following information:

- a. Agency. The agency issuing the rule must be identified as follows:

AGENCY: Federal Aviation Administration (FAA), DOT.

- b. Action. Select an action statement from the following or a similar statement appropriate to the action being taken.

ACTION: Notice of proposed rulemaking.  
: Withdrawal of notice of proposed rulemaking.  
: Final rule.

- c. Summary. The summary must provide a brief, simple description of the rule or proposal and must include all three of the following elements. An

omission of one or more of these elements may result in publication delays while the deficiency is corrected. Do not refer to the FAR or CFR unit affected by the action.

- (1) The nature of the action being taken (What does this AD do?);
- (2) The unsafe condition and the circumstances which created the need for the action (Why is this AD necessary?); and
- (3) The intended effect of the action.

d. Dates. Provide all appropriate dates relative to the rule or proposal. The following are the most common dates used for AD's. Delete the DATES heading if a withdrawal of an NPRM is being issued.

(1) NPRM. The heading is always DATES, and the following are the most common dates used for NPRM's:

- (a) Comments must be received on or before [date].
- (b) The proposed effective date of this amendment is [date].
- (c) A public hearing is scheduled for [date].

(2) Final Rules. When the document has more than one date, use the heading DATES. When the document contains an effective date only, use the heading EFFECTIVE DATE. The following are the most common dates used for final rules.

- (a) Effective [date].
- (b) Incorporation by Reference. Insert the following statement if there is an incorporation by reference approval:

"The incorporation by reference of certain publications listed in the regulations is approved by the Director of the Federal Register as of [date will be inserted upon approval by AGC-10]"

NOTE: AGC-10 will notify the issuing office of the approval date which should be added to file copies of the AD.

e. Compliance Schedule. Indicate the compliance schedule in the AD. If the AD only requires one compliance time, state that compliance time. If the AD has more than one compliance time, state "As indicated in the body of the AD." Never make reference to a service bulletin for compliance times. Compliance times must be clearly stated in the AD.

f. Addresses. Indicate any address relevant to the proposal, rule, compliance, etc., such as the office to receive comments on the proposal, where applicable service bulletins can be obtained, and the address of the regional rules docket office. Delete the heading when addresses are not required.

g. For Further Information Contact. Provide the name, address, and telephone number of the individual(s) to be contacted for further information. The designated person should be a project manager, program officer, etc., and should be assigned to the same geographic FAA office which receives the comments.

h. Supplementary Information. This is a required presentation to inform the reader, who is not an expert in the subject area, of the basis and purpose of the proposal or rule.

(1) Include the following in proposed rules:

(a) Comments solicitation paragraph, including a statement regarding the fact that contacts with FAA personnel concerned with the rulemaking are recorded and filed in the docket.

(b) Discussion of prior regulatory history, if any.

(c) General description of the purpose and basis of the proposal, including differences between the proposal and the current rule, prior proposals, or industry or trade practices, as applicable.

(d) Specific discussion of background (including the unsafe condition and circumstances creating the need for the proposed rule), substance, and significant issues involved in the proposal.

(e) Response to, or discussion of, public input leading to the proposal, such as petitions for rulemaking or comments on prior proposals.

(f) Other appropriate information, evaluations, or statements including regulatory reform, environmental, economic, and energy conservation impact analyses, and other discussions affecting the public notice giving function of the preamble or demonstrating conformity to administrative or legal procedures and standards, etc.

(2) Include the following in final rules:

(a) Regulatory history - publication dates and titles and other actions or events of historical significance to the promulgation process of this and related regulatory or administrative action.

(b) General description of the basis and purpose of the amendment.

(c) Specific discussion of background (including the unsafe condition and circumstances which created the need for the amendment) and significant issues.

(d) Explanation of significant differences between proposed rule and final rule.

(e) Agency response to all public comments and substantive contacts on proposals.



(f) Other appropriate information, evaluations, or statements, including such matters as regulatory reform, environmental, economic, and energy conservation impact analyses, and other discussions affecting the public notice-giving function of the preamble or demonstrating its conformity to administrative or legal procedures and standards.

(3) Supplementary Information Subparagraphs. The use of appropriate subject matter centered headings is recommended to organize the topics developed in the supplementary information. Subparagraphs with center headings may be omitted when the preamble is extremely short. The following are the most commonly used subparagraphs.

(a) Comments Invited. Invite interested persons to participate in the making of the proposed rule by submitting written data, views, and arguments.

(b) Availability of NPRM. Provide the address of the regional counsel's office where copies of the NPRM may be obtained.

(c) Discussion of Comments. Provide a response to public comments on the proposal.

(d) Discussion of Amendment. Provide a clear and concise discussion of the actions to be taken in the amendment.

(4) Regulatory Impact Statement.

(a) Federalism Assessment. An assessment should be made of the action's impact on the states, the relationship between the national Government and the states, and the distribution of power and responsibility among the various levels of government. (See the appendixes for example AD's with appropriate federalism assessment statements.)

(b) Both Executive Order 12291 and DOT Regulatory Policies and Procedures (DOT Order) require the preparation of a Regulatory Impact Analysis for proposed and final "significant/major" rules. An exception to this requirement is allowed in emergency situations provided that certain other conditions are met. (See Executive Order 12291 § 8 and DOT Order § 10(2). All AD's must include a note paragraph that states the requirements of both Executive Order 12291 and the DOT order have been considered. (See the appendixes for example AD's with appropriate regulatory impact statements.)

(c) The Regulatory Flexibility Act requires the agency to prepare:

1 An Initial Regulatory Flexibility Analysis (IRFA) which is published along with the proposed rule, UNLESS the agency certifies in the Federal Register that the rule will not have a "significant economic impact on a substantial number of small entities."

2 A Final Regulatory Flexibility Analysis (FRFA) for the final rule, which, among other things, should respond to issues raised by the public comments on the IRFA. As a matter of practice, if the FAA is satisfied, after review of the comments, with its initial determination that the rule does not impose a significant economic impact on a substantial number of small entities (the usual case), an individual certification to that effect should be published in the final rule. (See the appendixes for example AD's with appropriate regulatory flexibility certifications.)

(5) List of Subjects in 14 CFR 39. List the subjects accordingly. AD's are usually: Air transportation, Aircraft, Aviation safety, Safety, Engines, Incorporation by reference.

(6) Authority Citations.

(a) Notice of Proposed Rulemaking. Use the appendixes as an example for proposed rules.

(b) Final Rule. Use the appendixes as examples for final rules.

(c) A list of authority citations for FAR sections is available from the Assistant Chief Counsels.

83. PREAMBLE FOR TELEGRAPHIC/PRIORITY LETTER AIRWORTHINESS DIRECTIVES. The preamble material for telegraphic/priority letter AD's should identify to whom it is directed. It should also include a brief and simple description to inform a reader who is not an expert in the subject area of the following:

- a. The nature of the action being taken (What does this AD do?);
- b. The unsafe condition and the circumstances which created the need for the action (Why is this AD necessary?); and
- c. The intended effect of the action.

Use the appendixes as examples of telegraphic/priority letter AD's.

84-90. RESERVED.

#### SECTION 4. AIRWORTHINESS DIRECTIVES TEXT

91. GENERAL. The actual content of each AD text varies; however, the following subjects are necessary in AD's:

- a. Applicability statement.
- b. Compliance time or period.
- c. Problem description.
- d. Corrective action required.

Paragraph 92 outlines the information to be provided in these subjects.

#### 92. AIRWORTHINESS DIRECTIVE PRODUCT IDENTIFICATION AND APPLICABILITY STATEMENT.

a. Product Identification. The AD text must begin with specific identification of the aeronautical product(s) to which the AD is applicable. This identification must be the same as in the AD heading.

b. Type-Certificated Products. Type certificated (TC) products must be identified by the name of the current TC holder followed by the name(s) of previous TC holders who have manufactured the product. The manufacturer's name(s) should be followed by the applicable models as published on the TC data sheet. Examples follow:

ISRAEL AIRCRAFT INDUSTRIES, LIMITED (formerly Aero Commander, North American Rockwell Corporation): Applies to Models 1121, 1121A, 1121B, 1123, and 1124 series airplanes, certificated in any....

AVCO LYCOMING: Applies to Model LTS101-600A-2 engines, installed on but not limited to....

(1) Use of Series. The term "series" can be used in AD's to denote similar models of a product. However, using the term will make the AD applicable to future production aircraft unless limited by product serial number. The term "series" should be used with caution, since it directly affects AD applicability and distribution as illustrated in the following examples:

(a) Beech Model 99. This identifies a specific airplane model. An AD so identified will be applicable to and distributed ONLY to owners and operators of the Beech Model 99 airplane.

(b) Beech Model 99 Series. This identifies a group of similar models. An AD so identified will be applicable to and distributed to owners and operators of Beech Models 99, 99A, A99A, B99, and future Beech Model 99 airplanes, regardless of their letter designator.

c. Supplemental Type-Certificated Products. An AD issued to correct a condition resulting from supplemental type certificate (STC) alteration of one or more different models of aircraft, engines, or propellers must identify the STC holder in the AD heading. Identify the type-certificated products which incorporate the STC in the applicability paragraph of the AD text. STC products must be identified by the name of the current STC holder followed by the name(s) of previous holders of that STC. Examples follow:

BERYL D'SHANNON AVIATION SPECIALITIES INC. (Formerly Smith and Jones Industries): Applies to Beech Model 35 series airplanes, Cessna Model 182 series airplanes, and Piper Model PA-24 series airplanes, certificated in any category, which have been modified in accordance with STC SA 2653 WE.

AVCON INDUSTRIES, INC.: Applies to Cessna Models 150, 170, 172, and 175 series airplanes and to Piper Model PA-28-140 airplanes, certificated in any category, that have been modified in accordance with STC's SA 750 CE, SA 777 CE, SA 793 CE, SA 806 CE, or SA 807 CE utilizing AVCON Industries, Inc., muffler kits.

An alternative to this procedure is to issue a separate AD for each type-certificated product series affected by the STC alteration. Do not identify more than one aeronautical product in the AD heading.

d. Products Approved by Technical Standard Order or Parts Manufacturer Approval. Technical standard order (TSO) authorizations or parts manufacturer approval (PMA) products must be identified by the manufacturer's name and model or part number. An example follows:

LEIGH SYSTEM: Applies to Emergency Locator Transmitter Leigh Systems Sharc 7 series, installed in but not limited to....

e. Applicability by Product Serial Number. Serial numbers (S/N), in addition to model identification, may be used to further identify products affected by an AD. However, this specific identification is subject to errors and omissions and should be used with caution. A few items to consider follow:

(1) Avoid using the phrase "serial numbers [1234] and up," since this phrase will render the AD applicable to future production aircraft. When the product is in current production, work with the manufacturer to determine when that production run will end or when a product improvement will eliminate the unsafe condition cited by the AD, then state the complete serial number range. Care must be exercised to ensure that the production run ends as represented by the manufacturer.

(2) When citing many serial numbers in sequence, e.g., S/N [1234] through [12345], be certain that a true sequence exists. Also, be certain that serial numbers to be excluded from the applicability are clearly stated. The basic structure of the serial numbers for a product may vary such that reference to a number sequence is confusing to the reader; e.g., S/N [123] through [XYZ-2468] or [123] through [172-124].

f. Certification Basis and Applicability. The type and airworthiness certification categories may be used to identify those aircraft affected by an AD. Examples follow:

(1) "Applies to [Cessna Model 150] airplanes, certificated in any category." This statement incorporates all airplanes of the model listed without regard to the type or airworthiness certification. It also includes those with experimental certificates where the experimental certificate and associated limitations are dependent upon the product type certificate design for approval. Where necessary, the phrase "except experimental used for the purpose of developing additional AD corrective action" may be made part of the original AD.

(2) "Applies to [Sikorsky Model S-61] series helicopters, certificated in any category except restricted." This statement incorporates all helicopters of the model listed except those that have been issued restricted type and airworthiness certificates.

g. Military Aircraft. Military aircraft which are eligible for certification under a type certificate must be listed in the applicability paragraph of AD's affecting the civil counterpart model if the AD also applies to the military model. The term "series" may be used when the AD applies to all models. (See paragraph 92b(1).)

Applies to DC-9 series airplanes, certificated in any category, including military type C-9A and C-9B airplanes.

h. Docket Identifying Number. It may be desirable for reference purposes to add the AD docket identifying number at the end of the applicability statement.

93. COMPLIANCE TIME OR PERIOD. The compliance requirements of an AD should be expressed in simple terms that are readily understood by all AD readers. Complex compliance times promote confusion and may not be legally enforceable. Also, it is essential that aircraft should not be grounded unintentionally or the owner/operator placed in violation by an unreasonably short compliance time (see Section 3 for discussion of AD distribution). The availability of replacement parts and repair tools should be considered when determining compliance times.

a. Time-in-Service. The simplest form of expressing compliance time is in terms of a specific number of hours of operation at which compliance is required for all affected products; i.e., hours time-in-service. Note that the phrase "within the next [X] hours" means up to and including [X] hours, while "prior to the accumulation of [X] hours" means up to but not including [X] hours. Examples follow:

Compliance is required within the next [50] hours time-in-service after the effective date of this AD.

Compliance is required within the next [300] hours time-in-service after the effective date of this AD or prior to the accumulation of [5,000] hours time-in-service, whichever occurs later.

When the compliance times relate to hours time-in-service and are complex, the statement "compliance is required as indicated" should be used and the actual compliance times listed in the AD body. Avoid stating compliance times which create overlapping action requirements. Examples to avoid overlap follow:

For airplanes with [2,700] or more hours time-in-service on the effective date of this AD, comply with paragraph [c] within the next [300] hours time-in-service.

For airplanes with less than [2,700] hours time-in-service on the effective date of this AD, comply with paragraph [c] before the accumulation of [3,000] hours time-in-service.

b. Calendar Dates. Calendar dates should not be used unless a direct relationship between calendar time and airworthiness has been established (e.g., corrosion); or aircraft utilization rate varies greatly throughout the fleet; or logistic support considerations, such as parts availability/overhaul or repair facilities capacity dictates that compliance be accomplished on an attrition basis with a calendar deadline to minimize impact on operators; e.g., avoid grounding of aircraft.

c. Landings for Compliance Expression. The number of landings may be used to express AD compliance if the problem is related to landing cycles as with landing gear, flap use, some fatigue, etc. The following statement is an example of expressing compliance in terms of landings:

Compliance is required prior to the accumulation of [ten (10)] landings after the effective date of this AD....

The following example may be included in the AD as a method for determining the number of landings for operators who do not keep landing records:

For purposes of complying with this AD, subject to acceptance by [insert title of appropriate FAA person], the number of landings may be determined by dividing each airplane's hours time-in-service by the operator's fleet average time from takeoff to landing for the aircraft type.

d. Engine Cycles for Compliance Expression. For AD's affecting certain turbine engines, the compliance time may best be expressed in cycles. If cycles are used, provide the definition of a cycle which pertains to the specific engine. The following statements concerning cycles may be used for turbine engines:

For the purpose of this AD, the number of cycles equals the number of flights that involve an engine operating sequence consisting of engine starting, takeoff operation, landing, and engine shutdown.

For the purpose of this AD, a cycle is considered as any engine operation sequence involving engine start, at least one acceleration to a thrust level of 80 percent or above, low pressure rotor speed, and shutdown.

e. Compliance Time for Components. If compliance times relate to the hours time-in-service of a component, the following statement may be used:

For airplanes having [torque links, P/N 123456] with less than [300] hours time-in-service on the effective date of this AD, comply with....

At the end of the AD, include a paragraph to provide for those airplanes that have components with unknown hours time-in-service. An example is:

Operators who have not kept records of hours time-in-service on individual [torque links] shall substitute airplane hours time-in-service in lieu thereof.

f. Compliance Time for Inspection and Repair. When a required inspection may result in a required repair or replacement, the AD must clearly state the compliance time for both the inspection and repair or replacement.

(1) The following is an example of an inspection compliance time:

Within the next [100] hours time-in-service after the effective date of this AD, inspect [the internal structure at Wing Station 12] for [cracks] using [dye penetrant and a glass of at least 10-power] in accordance with [Vega Service Bulletin No. 25, dated November 16, 1983].

(2) The following is an example for a repair or replacement that must be accomplished at the time of the inspection:

If a crack is found, repair [before further flight] in accordance with [Vega Service Bulletin No. 25, dated November 16, 1983].

(3) The following is an example for a repair or replacement that has a compliance time that is different from the inspection compliance time:

If a crack is found, repair [within the next 50 hours time-in-service after the inspection required by paragraph [a] of this AD, in accordance with [Vega Service Bulletin No. 25, dated November 16, 1983].

g. Compliance Time with Interim Action. In case an interim action is required before the accomplishment of a repair or replacement, such as the installation of an operating limitations placard, the following compliance example is provided:

Within the next [5] hours time-in-service after the effective date of this AD, install a placard....

Within the next [500] hours time-in-service after the effective date of this AD, modify....

When the modification required by paragraph (b) has been incorporated, the placard required by paragraph (a) may be removed.

h. Repetitive Compliance Time. When an initial inspection is followed with repetitive inspections at periodic intervals, the following compliance example may be used:

Compliance is required within the next [25] hours time-in-service after the effective date of this AD, unless already accomplished within the last [75] hours time-in-service and, thereafter, at intervals not to exceed [100] hours time-in-service from the last inspection.

The phrase "unless already accomplished within the last [75] hours time-in-service" provides for an operator who has already made an inspection before the effective date of this AD. If an initial inspection compliance time is the same as the repetitive intervals, the following form is used:

Compliance is required within the next [25] hours time-in-service after the effective date of this AD and, thereafter, at intervals not to exceed [25] hours time-in-service from the last inspection.

i. Credit for Maintenance Accomplished. Whenever possible, allow credit for maintenance already accomplished. If the AD requires a one-time inspection, modification, replacement, etc., use the following example:

Compliance is required within the next [100] hours time-in-service after the effective date of this AD, unless already accomplished.

j. Compliance Before Further Flight and Special Flight Permit.

(1) When compliance is required before further flight (or if the compliance time is so short that further flight is not practical) but the aircraft may be flown safely to a location where the repair can be performed, include provision for the issuance of a special flight permit using wording such as:

...before further flight, except that a special flight permit may be issued in accordance with FAR §§ 21.197 and 21.199 to operate the [airplane] to a base where the [inspection] [repair] [maintenance] may be performed.

or

In accordance with FAR §§ 21.197 and 21.199, the [helicopter] [airplane] may be flown to a base where the [inspection] [modification] [repair] may be accomplished.



(2) If (1) compliance is required before further flight, (2) the product is an aircraft, and (3) the special flight permit provision does not appear in the AD, a finding has, in effect, been made that the aircraft is unsafe to operate under any condition other than compliance with the AD. Therefore, a special flight permit may not be issued.

(3) If the product to which the AD applies is not an aircraft, i.e., an engine, propeller, or appliance, and the aircraft may be safely operated with the product inoperable, a special flight permit may be issued with the limitation that the product not be operated.

(4) It may be necessary to specify limitations in the AD to be observed during operations under a special flight permit such as:

...before further flight, except that a special flight permit may be issued in accordance with FAR §§ 21.197 and 21.199 to operate the [airplane] to a base where the [repair] [maintenance] may be performed, provided the [airplane is flown unpressurized].

k. Avoid These Compliance Expressions. Compliance times must be clearly stated in the text of the AD in order to avoid any confusion concerning the time for compliance. If a need for flexibility exists, allow for adjustments in the AD. DO NOT express compliance times in the following language:

(1) Dual statements, such as "upon arrival at the next scheduled stop, but in no event later than the next [25] hours time-in-service" or "within the next [25] hours time-in-service, but not later than the next [annual] inspection."

(2) Inappropriate terms. It would not be appropriate to express compliance times in terms like the "next annual inspection," or for an engine AD, in terms of engine overhaul periods.

(3) Reference service bulletins. Do not refer to a service bulletin or other reference material or to a specific type of scheduled inspection (such as the next "C" inspection) when stating compliance times.

(4) Indefinite terms, such as: "as soon as possible."

l. Adjustments in Compliance Requirements. To provide flexibility in administering AD's which require repetitive inspections, a statement may be included in the AD to permit reasonable adjustments in the intervals specified to coincide with an operator's established inspection period. Initial compliance times can also be adjusted; however, this should not be permitted where the compliance time is short. In either event, substantiating data must be submitted to the cognizant FAA maintenance inspector to support the request for compliance time adjustment. The manager of the cognizant Aircraft Certification Office (ACO) may approve the request upon recommendation of the FAA maintenance inspector (see paragraph 97 for statement to be included in AD's for such adjustments).

**NOTE:** In the absence of a paragraph allowing adjustments to the compliance requirements, formal exemption procedures must be followed in responding to such requests.

94. PROBLEM DESCRIPTION. Provide an objective description of the difficulty experienced and insert it ahead of the corrective action. This should be a concise statement drawn from the preamble, such as:

To prevent failure of the [horizontal stabilizer], which could result in [unsafe condition], accomplish the following.

95. CORRECTIVE ACTION. Provide a clear and concise statement of corrective measures or limitations required, including the method of accomplishment. It is not sufficient to reference a service bulletin alone. Every effort should be made to provide for corrective action that will terminate the need for repetitive inspections. Experience has shown that repetitive inspections may be ignored or overlooked over a period of many years.

a. Area Parts to be Inspected. Where inspections are required, the area parts to be inspected must be defined and, if appropriate, the AD must state whether it is necessary to disassemble, remove bolts, etc., to accomplish the inspection.

b. Inspection Means/Methods. The inspection means must be defined (i.e., dye penetrant, X-ray, etc.) and provisions made for FAA-approved equivalent means, if acceptable.

c. Replacement Parts. Replacement parts, if required, should be available and must be identified by part number. State when equivalent parts are acceptable.

d. Corrective Action Information. Information to aid the corrective action that is not included in the AD text may be referenced by a parenthetical note at the close of the AD. If the AD text contains a requirement to comply with a service bulletin, the same service bulletin should not be referenced in a parenthetical note. Use of the parenthetical note should be limited to information and service bulletin citations not mentioned in the AD itself that may be helpful to the operator complying with the AD. An informational reference to a service bulletin does not constitute a regulatory requirement or an incorporation by reference.

96. ALTERNATE CORRECTIVE ACTION. Since more than one means of compliance may be acceptable to correct a particular difficulty, even though unknown at the time the AD is issued, an alternate method of compliance should be provided for in the AD. This is not only desirable from the operator's point of view, but it also eliminates the need for constant revisions of AD's when equivalent means are developed. If the AD does not include provision for alternate methods of compliance, the AD must be amended prior to approval of compliance by any other method. However, where a service bulletin is incorporated by reference, the use of the term "or later FAA-approved revision" with reference to the bulletin violates Federal Register regulations and is not acceptable since revisions often include new repairs or inspection requirements. This practice may add new requirements to the AD, or may be relaxatory in nature, and constitutes rulemaking action without prior notice to the public.

97. PROVISION FOR APPROVAL OF ALTERNATE METHOD OF COMPLIANCE. Whether or not a manufacturer's service bulletin is incorporated by reference, to allow for the approval of alternate methods of compliance and adjustments in compliance times, the following statement, or one similar, should be used in all AD's (see paragraphs 93 and 96):

An alternate method of compliance or adjustment of the [initial] [repetitive] compliance time(s), which provides an equivalent level of safety, may be approved by the Manager, [cognizant Aircraft Certification Office].

NOTE: The request should be forwarded through an FAA Maintenance Inspector, who may add comments and then send it to the Manager, [cognizant Aircraft Certification Office].

98. INCORPORATION BY REFERENCE.

a. Recognizing Incorporation by Reference. It is important to realize that referring to a service bulletin or other document in the body of the AD as a method of compliance is an incorporation by reference, and the Federal Register concerning incorporation by reference must be followed. Incorporation by reference means that the referenced document is being made a part of the rulemaking action without having to print the referenced document in its entirety. Incorporation is not avoided by following the citation of the referenced document with the term "or an FAA-approved equivalent."

b. Federal Register Requirements. Title 1, CFR Part 51, and Federal Register regulations require that material incorporated by reference in a rule must be reasonably available to the persons affected. One of the most important of the required procedures is the filing of the incorporated material with the Office of Federal Register. For those AD's which reference manufacturers' service documents as a means of compliance, a statement must be incorporated reading as follows:

The [repair and inspection procedures] shall be done in accordance with [Vega Service Bulletin No. 25, dated November 16, 1983]. This incorporation by reference was approved by the Director of the Federal Register in accordance with 5 U.S.C. 552(a) and 1 CFR Part 51. Copies may be obtained from [name and address of manufacturer]. Copies may be inspected at [insert issuing office name and address] or at the Office of the Federal Register, 1100 L Street, NW., Room 8301, Washington, DC.

c. The AD issuing office will incorporate at the date paragraph in the preamble the appropriate statement indicating incorporation by reference approval (see paragraph 82d(2)(b)).

d. Identify Incorporated Material. When a manufacturer's service documents are incorporated by reference in the AD, identify the specific document to be complied with (e.g., Detroit Diesel Allison Commercial Engine Alert Bulletin CEB A-1174/1146, Revision 2, dated September 15, 1982). When

drafting the AD text, it is preferable not to repeat information included in the service documents. This precludes possible conflicts and inconsistencies which could result by converting from service document to AD language. Also, be certain the bulletin referenced is the correct one and that it is available to the industry.

e. Federal Register Approvals.

(1) Whenever a manufacturer's service bulletin, or other document of like effect, is cited in an AD as a basis for compliance, whether or not there is provision for alternative or equivalent methods, that service bulletin is incorporated by reference. Any AD action may be published in the Federal Register with a service bulletin incorporated by reference, but such publication does not constitute Federal Register approval. To give legal effect to an incorporation by reference, the general rule is that such action must be approved by the Director of the Federal Register. The rule must be applied, however, consistent with the realities of a given situation.

(2) A one or two page telegram or letter addressed to the FAA, owner, or operator, which provides corrective action, is not a publication that will be approved for incorporation by reference. In such cases, the content of the telegram or letter should be spelled out in the AD.

(3) The following paragraphs summarize Federal Register approvals as applicable to the basic AD document:

(a) Notice of Proposed Rulemaking. Service bulletins may and should be incorporated by reference as appropriate. However, the Federal Register approves only final rules. Therefore, a request for approval at this stage is premature and should not be submitted.

(b) Final rule following an NPRM. This is the standard situation contemplated by the Federal Register. The full approval procedure applies; i.e., request for approval, selection of effective date to allow time for Federal Register approval action, the actual approval, and insertion of the required paragraphs in the AD under the DATES heading and at the conclusion of the text of the AD.

(c) Immediately adopted AD. Where the situation allows an effective date of 50 or more days after submission to the Federal Register (i.e., 20 days for Federal Register approval plus 30 days after publication under the APA), the full procedure is followed as in (b) above.

(d) Immediately adopted (emergency) AD. Where the situation requires an effective date less than 30 days after publication, the approval procedure is obviously not suitable. Service bulletins may and should be incorporated as appropriate. The directorate manager's decision to go this route is with the understanding that there will be no Federal Register approval. Nothing in the Federal Register statutes and regulations, however, precludes the FAA issuer from taking timely corrective action, and he has discretion to utilize this form of AD action. In this case, there will be no request for approval and no incorporation by reference approval paragraphs in the AD.

(e) Telegraphic and priority letter AD's. Service bulletins may and should be incorporated by reference as appropriate. However, no request for approval is involved, and the AD will not contain the incorporation by reference approval paragraphs.

(f) Federal Register issue of telegraphic and priority letter AD's. This action allows after the fact approval. The full approval procedure, as in (b) and (c) above, should be followed.

99. AUTHORIZATION TO PERFORM WORK REQUIRED BY AIRWORTHINESS DIRECTIVES.

The persons authorized to perform the work should not be prescribed in an AD. However, when compliance with the AD may be accomplished by other means than those prescribed in FAR § 43.3, the AD should so state. The following statement may be used:

"The checks required by this AD may be performed by the [pilot] and must be recorded in accordance with FAR § 43.9."

Airworthiness directives should not authorize the pilot to conduct other than routine visual checks. The use of test instruments or technical procedures requiring training should not be permitted. In addition, if the visual check requires some maintenance knowledge to interpret what is seen, the check must be performed by a person certified under FAR 65.

100. MAINTENANCE RECORDS. A maintenance record entry to show AD compliance must be made as required by FAR § 43.9 by a person authorized under FAR § 43.7 and must be maintained as required by FAR §§ 91.173, 121.380, or 135.439, as appropriate. When AD compliance may be accomplished by other than certificated mechanics or certificated maintenance organizations, the following statement must be used as a reminder of the maintenance record entry requirement:

NOTE: Since the AD authorizes compliance by a pilot, the pilot, when complying, must make an entry as required by FAR § 43.9, and the record must be maintained as required by FAR §§ 91.173, 121.380, or 135.439.

101. REQUESTS FOR REPORTS. In those instances where it is necessary to know the results of an inspection to determine whether additional action is required, include a statement requiring that the results of the findings in compliance with the AD be reported to the controlling office. Approval of this reporting procedure has been obtained from the Office of Management and Budget in accordance with the Federal Reports Act. The reporting requirements of an AD should be specific as to required information and address. The following should be included in such AD's:

Report defects found to the Manager, [cognizant Aircraft Certification Office] within [10] days of the inspection.  
(Reporting approved by the Office of Management and Budget under OMB No. 2120-0056).

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102. EFFECTIVE DATE STATEMENT. Establish a proposed calendar date for the effective date. Do not state the effective date in terms which cannot be positively established. Avoid using phrases such as "this amendment becomes effective upon publication in the Federal Register" or "this amendment becomes effective [10] days after publication in the Federal Register." Such phrases result in confusion to persons attempting to comply with the AD. Since the Federal Register is usually not available to them, they have no way of determining the date of publication.

a. Factors to Consider. The issuing office, in coordination with the initiating office, shall propose an effective date prior to forwarding the AD to AGC-10 for publication in the Federal Register. The proposed effective date is subject to change, depending upon the Federal Register publication date and approval of incorporation by reference provisions. The actual dates will be verified by AGC-10. The following factors must be considered when proposing an effective date:

(1) How is the AD to be forwarded to the distribution point, and how long will it take to get there (i.e., mail, telegram, facsimile)?

(2) Does the AD incorporate by reference documents that will require prior approval by the Director of the Federal Register before publication?

(3) Is there sufficient time between the Federal Register publication date and the AD effective date to allow for printing and mailing to owners and operators?

(4) Are there holidays or weekends involved that will affect the distribution and mail schedules?

(5) Is there sufficient time for delivery of the AD to those owners and operators who reside in remote areas?

(6) Does the effective date allow time for obtaining copies of documents referenced in the AD? For obtaining needed parts?

(7) Does the effective date allow sufficient lead time to permit operators to schedule their aircraft for maintenance without disrupting flight schedules?

(8) Does the effective date give credit to recipients of telegraphic/priority letter AD's who have already complied with the AD?

(9) The issuing office may propose any effective date deemed appropriate after consideration of the above factors. However, the appropriate requirements of U.S.C. 553(b)(3)(B) or (d) must be satisfied before a definite effective date is established.

b. Effective Date Statement (Final Rules Only). When publishing a final rule in the Federal Register, the last line of the AD text should state the effective date as follows:

This amendment becomes effective [date].

This amendment becomes effective [date], as to all persons except those persons to whom it was made immediately effective by [telegraphic AD] [priority letter AD] [insert AD number], issued [date], which contained this amendment.

c. Effective Date (Emergency Rules). AD's issued as telegrams or priority letters may be made effective upon receipt.

103. AMENDMENT REFERENCES. If the AD amends or supersedes an earlier issued AD, include the appropriate amendment and AD number.

This amendment amends Amendment [39- ] AD [ ]

This amendment supersedes Amendment [39- ] AD [ ]

104. ISSUING STATEMENT AND SIGNATURE.

a. Insert the city and state of the directorate manager and the issue date as follows:

Issued in [city and state of directorate manager] on [date].

b. Airworthiness directives must be signed by the directorate manager or acting directorate manager of the issuing office. No one may sign an AD "for" the directorate manager. Federal Register regulations require that the typed name and title of the signer appear below the signature.

105.-110. RESERVED.

## CHAPTER 3. PUBLICATION AND DISTRIBUTION

SECTION 1. FINAL PREPARATION AND ROUTING111. ISSUANCE OF AMENDMENT NUMBERS AND EFFECTIVE DATES.

a. Airworthiness Directive Docket Number. The issuing office will assign a different docket number to each proposed or final rule AD. An AD that was initially issued as an NPRM should retain the same docket number in the final rule action. Amendments, exemptions granted or denied, superseding AD's, and revocation actions should be assigned the same docket number as the original AD. This will ensure that all material related to an AD will appear in the same docket. The Assistant Chief Counsel's Office in each directorate shall design its own docket numbering system to include the regional designator. However, the issuing office may assign a new docket number when amending, exempting from, or superseding an older AD, where, due to AD age or change of regional jurisdiction, it is impractical to continue the original docket number.

b. Airworthiness Directive Amendment Number. After the AD has been signed by the directorate manager, obtain a FAR 39 amendment number from AVN-110. The amendment number will be provided by telephone (AD Hotline FTS 747-4103; COM (405) 686-4103; or FTS 747-4374; COM (405) 686-4374). At that time, the issuing office must notify AVN-110 of the AD docket number, the AD number when a previously issued AD is being further amended, the proposed effective date, the make and model(s) of the product affected by the AD, and the date signed.

c. Effective date. The issuing office should discuss very short proposed effective dates with AVN-110 when obtaining an amendment number in order to ensure that the AD can be distributed prior to its becoming effective.

112. ROUTING FOR PUBLISHING AND DISTRIBUTION.a. The AD Issuing Office.

(1) After inserting the amendment number in the final copy, the issuing office will send the original and five copies of each proposed and adopted rule AD, together with one copy of each service bulletin or other documents cited in the AD (two copies of each such document incorporated by reference in the AD) to the Rules Docket, Office of the Chief Counsel (AGC-10). The proposed effective date should not be inserted in the final copy, since it is subject to change. Rather, the proposed effective date should be referred to in a transmittal letter to AGC-10, which should accompany the final AD.

(2) If an incorporation by reference approval by the Director of the Federal Register is required, the issuing office must flag the document to AGC-10 to the effect that it contains an incorporation by reference document which must be approved by the Director of the Federal Register. This may be done by including the following statement in the transmittal letter to AGC-10:



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Attached are copies of Airworthiness Directive [Docket Number] [Amendment 39- ] and [Detroit Diesel Allison Commercial Engine Alert Bulletin CEB A-1174-1146, Revision 2, dated September 15, 1985]. These documents are submitted to the Director of the Federal Register for approval of the incorporation by reference of the Alert Bulletin. [Paragraph (a)(1) on page 4 of the Airworthiness Directive has the incorporation provision.] If you have any questions, please contact [insert name and telephone number of person to contact for further information].

(3) The issuing office will coordinate the effective date, incorporation by reference approval date, and Federal Register publication date with AGC-10. Additional time should be considered for forwarding the AD to AWN-110 prior to the effective date. Upon verification of these dates, the issuing office will insert the effective date and the incorporation by reference approval date in a copy of the AD PRIOR to sending it to AWN-110 for distribution. A single-spaced, camera-ready copy of the AD, including the preamble, must be provided to AWN-110. The transmittal memorandum to AWN-110 must include the Federal Register publication date.

(4) The issuing office will transmit to AIR-107 a copy of the final AD (or NPRM), including the executive summary and AD coordination record, coincident to its being sent to AGC-10.

(5) The original AD docket file will remain with the Assistant Chief Counsel's office of the issuing office following publication in the Federal Register.

b. The Rules Docket, AGC-10.

(1) The Rules Docket, AGC-10, will certify the AD and determine the effective date of the AD based on the issuing office's recommendation and the Federal Register publication date. The Rules Docket will insert the effective date in the AD and forward it to the Federal Register for publication. The Rules Docket will immediately notify the issuing office that the AD has been forwarded to the Federal Register for publication and verify the effective date and the Federal Register publication date.

(2) If an approval of an incorporation by reference is required by the Director of the Federal Register, AGC-10 will obtain the approval prior to publication in the Federal Register. Upon approval, the incorporation by reference approval date and the effective date will be inserted by AGC-10, and then will forward the AD to the Federal Register for publication. The Rules Docket will immediately notify the issuing office that the AD has been forwarded to the Federal Register for publication and verify the effective date, the incorporation by reference approval date, and the Federal Register publication date.

(3) The Rules Docket will maintain a copy of the AD in the FAA Headquarters Docket for informational purposes for 1 year.

c. Engineering and Manufacturing Branch. Upon receipt of a single-spaced, camera-ready copy of the AD, AVN-110 will assign an identifying AD number and prepare the AD, including the preamble, for distribution.

113. SPECIAL NOTIFICATION FOR FAA FLEET.

When issuing an AD which affects aircraft of the FAA fleet, the issuing office will contact the Engineering Branch, AVN-340, in Oklahoma City, and read the AD to ensure prompt notification to the FAA Fleet. During normal duty hours (0800-1700 Central Time) contact AVN-340 direct (FTS 747-4728; COM (405) 686-4728) or during nonduty hours contact AVN-340 through the Aeronautical Center Communications Duty Officer (FTS 747-2583; COM (405) 686-2583). Telephone notification is not required when an AD is relaxatory or of a nonemergency nature; however, a copy of the complete AD, including the preamble, should be transmitted to AVN-340 immediately upon issuance. The Engineering Branch will provide each directorate with a list of the FAA aircraft fleet. The list will be updated each time there is a change in the fleet.

114. SPECIAL NOTIFICATION FOR THE PRESIDENTIAL FLEET.

When issuing an AD which affects aircraft of the Presidential fleet, the issuing office will contact the Accident Investigation Division, AAI-100, in Washington headquarters, and read the AD to ensure prompt notification to the Presidential Staff. During normal duty hours (0830-1700 Eastern Time) contact AAI-100 direct (FTS 267-3120; COM (202) 267-3120) or during nonduty hours, contact AAI-100 through the Washington Operations Center (FTS 989-5100; COM (202) 863-5100). Telephone notification is not required when an AD is relaxatory or of a nonemergency nature; however, a copy of the complete AD, including the preamble, should be transmitted to AAI-100 immediately upon issuance. The Accident Investigation Division will provide each directorate with a list of the Presidential aircraft fleet. The list will be updated each time there is a change in the fleet.

115.-120. RESERVED.

## SECTION 2. AIRWORTHINESS DIRECTIVES NUMBERING AND PRINTING

121. GENERAL. Each AD will be assigned an identifying number for use in filing and recording in maintenance records. The numbering system used will consist of a series of two-element numbers separated by dashes. Revisions to AD's will be indicated using an alphanumeric suffix.

122. EMERGENCY RULE ISSUED TELEGRAPHICALLY. The Continued Airworthiness Staff, AIR-107, will assign a number to each telegraphic AD upon telephone notification; for example, T88-08-51. The letter character indicates telegraphic, the first two digits indicate the calendar year of issuance, the second two digits indicate the biweekly period of that year, and the last two digits indicate the order of issuance within the biweekly period. The last two digits will begin at 51 for each biweekly period of the calendar year for telegraphic AD's only and continue in ascending sequence.

123. EMERGENCY RULE ISSUED BY PRIORITY LETTER AND FINAL ADOPTED RULES. The Engineering and Manufacturing Branch, AEW-110, will assign a number to each priority letter AD upon receipt, and each adopted rule AD will be assigned a number when it is prepared for printing and distribution. An example of the structure of the AD number is 88-08-14; the "88" is the calendar year in which the AD is initially distributed, "08" is the biweekly period of that year, and "14" is the specific AD number within the biweekly period. The last two digits will begin at 01 for each biweekly period and continue in ascending sequence.

124. FINAL RULE VERSION OF AN EMERGENCY RULE. When the Federal Register final rule version is identical to the telegraphic or priority letter AD, the number used will be identical, except the prefix "T" will be omitted in the case of telegraphic AD's. When the final rule version differs from the telegraphic or priority letter AD, it will be identified as a revision using the method described in paragraph 125.

125. IDENTIFYING REVISIONS. Revisions to all AD's will be identified using an R1, R2, etc., suffix to the basic identifying number. To avoid reprogramming existing computer systems which sort using the basic number, the suffix will be separated from the basic number by a space.

126. AIRWORTHINESS DIRECTIVE PRINTING FORMAT. For distribution to owners and operators of registered aircraft, the AD will be printed as it is received, including the preamble information. A standard heading will be added which will include the AD number, the product manufacturer's name, and the amendment number(s).

127.-130. RESERVED.

### SECTION 3. AIRWORTHINESS DIRECTIVES DISTRIBUTION

131. GENERAL. The distribution discussed in this section is separate from that resulting from Federal Register publication. Individual AD's, including the preamble material, are sent to the addresses of aircraft owners as listed in the FAA Aircraft Registry when the aeronautical product cited by the AD can be identified with a specific aircraft, engine, or propeller series. Airworthiness directives citing products that cannot be identified with a specific aircraft, engine, or propeller, i.e., parts, components, etc., are sent to subscribers to the Summary of Airworthiness Directives in a biweekly publication. All AD's are distributed to addresses on special mailing lists maintained by the Printing and Distribution Branch, AAC-65, and AWN-110; e.g., FAA offices, military services, the National Transportation Safety Board (NTSB), ICAO Member States, bilateral countries, and special interest groups.

#### 132. DETERMINING METHOD OF AIRWORTHINESS DIRECTIVES DISTRIBUTION.

a. Emergency or Priority Distribution. Experience has shown that telegrams are not always the most expeditious method of distribution. For example, when an AD is issued affecting a large family of aircraft, telegrams may actually take longer than letters. Accordingly, AD's which are issued as emergency rules may be distributed by either telegram or priority letter. Approval must be obtained from the Manager, Aircraft Engineering Division, AIR-100, prior to transmitting AD's against small aircraft by telegram. Contact AIR-107 at FTS 267-9592; COM (202) 267-9592.

b. Routine Distribution. Airworthiness directives which do not require immediate action will be distributed by first-class mail regardless of the category of aircraft affected. Airworthiness directives normally scheduled for distribution on a day that will be a Federal holiday will be distributed the next workday following the holiday. Notification will be directed to owners of U.S.-registered aircraft, known operators or designated agents of U.S. air carriers, the manufacturer, ICAO Member States that have notified us of registration of the affected product on their registry, and those addresses maintained on a mail-out list which includes FAA offices, military services, NTSB, and special interest groups.

c. Distribution of NPRM's. In some circumstances, distribution of an NPRM to owners of U.S.-registered aircraft, known operators, etc., may be desirable to help facilitate development of the final rule. The issuing office must obtain prior approval from the Manager, Aircraft Engineering Division, AIR-100.

d. Distribution Procedures Deviation. Airworthiness directives will be distributed in accordance with the procedures contained in this section. The issuing office must obtain approval to deviate from these procedures from the Manager, AIR-100.

133. AIRWORTHINESS DIRECTIVES AFFECTING LARGE AIRCRAFT USED IN SCHEDULED AIR CARRIER OR NON-AIR CARRIER SERVICE.

a. Distribution by Telegram. Emergency rules (immediately adopted AD's) issued as telegrams will be distributed within 10 hours or as soon as practical after receipt by AIR-107. Specific time will depend on the number of registered aircraft. Notification will be directed to owners of U.S.-registered aircraft, known operators or designated agents of U.S. air carriers, the manufacturer, ICAO Member States that have notified us of registration of the affected product on their registry, bilateral countries, and those addresses maintained on a telegraphic list of recipients. The telegraphic list includes FAA offices, military services, NTSB, and special interest groups.

b. Distribution by Priority Letters. Emergency rules (immediately adopted AD's) issued as priority letters will be placed in the mail within 72 hours after receipt for processing by Awn-110. Notification will be the same as paragraph 133a, except the telegraphic list will be replaced by a mail-out list.

c. Distribution by First-Class Mail. Adopted rule AD's will be distributed by Awn-110 by first-class mail within 3 working days after receipt; however, AD's must not be distributed prior to publication in the Federal Register. Notification will be to those addresses identified in paragraph 133a, except the telegraphic list will be replaced with a mail-out list.

134. AIRWORTHINESS DIRECTIVES AFFECTING SMALL AIRCRAFT.

a. Distribution by Telegram. Emergency rules (immediately adopted AD's) issued as telegrams will be distributed within 10 hours after receipt by AIR-107. Notification will be directed to owners of U.S.-registered aircraft, known operators, the manufacturer, ICAO Member States that have notified us of registration of the affected product on their registry, bilateral countries, and those addresses maintained on a telegraphic list of recipients. The telegraphic list includes FAA offices, military services, NTSB, and special interest groups.

b. Distribution by Priority Letters. Emergency rules (immediately adopted AD's) will be distributed by priority letter within 72 hours after receipt by Awn-110. Notification will be to those addresses identified in paragraph 134a, except the telegraphic list will be replaced with a mail-out list.

c. Distribution by First-Class Mail. Adopted rule AD's will be distributed by Awn-110 by first-class mail within 5 working days after receipt. AD's affecting small aircraft used in commercial operations will be distributed within 3 working days after receipt. However, AD's must not be distributed prior to publication in the Federal Register. Notification will be to those addresses identified in paragraph 134a, except the telegraphic list will be replaced with a mail-out list.

135. AIRWORTHINESS DIRECTIVES AFFECTING ENGINES, PROPELLERS, AND APPLIANCES.

a. Distribution of AD's Affecting Engines. The Aircraft Registry Data System from which AD mailing labels to owners of U.S.-registered aircraft are produced contains engine make and model information of broad similar design groups only. Finite engine model identity is not incorporated (i.e., IO-540 series, not IO-540-J4A5). Therefore, AD's applicable to a particular engine model can only be distributed to specific owners when the aircraft models on which the engines are installed are provided by the issuing office. The Engineering and Manufacturing Branch will normally make distribution to these broad similar design groups. If this level of distribution is too large, the issuing office will notify AVN-110 that distribution to owners of U.S.-registered aircraft is not required; or alternatively provide the required aircraft model identity. Airworthiness directives which are not distributed to owners of U.S.-registered aircraft are still published in biweekly supplements to the Summary of AD's.

b. Distribution of AD's Affecting Propellers and Appliances. The Aircraft Registry Data System does not include propeller or appliance make/model information. Therefore, AD's which are applicable to propellers or appliances can only be distributed to owners of U.S.-registered aircraft when the aircraft models on which the propeller or appliance is installed are provided by the issuing office. If this information is not available, the issuing office will notify AVN-110 that distribution to owners of U.S.-registered aircraft is not required, or alternatively, that distribution to all owners of U.S.-registered aircraft is required. Since there are over 280,000 registered aircraft in the United States, a valid justification for such wide-scale distribution must be coordinated with, and approved by, the appropriate certification directorate. Airworthiness directives which are not distributed to owners of U.S.-registered aircraft are still published in biweekly supplements to the Summary of AD's.

136.-140. RESERVED.

SECTION 4. DISTRIBUTION OF EMERGENCY RULE (IMMEDIATELY  
ADOPTED) AIRWORTHINESS DIRECTIVES

141. DISTRIBUTION BY TELEGRAPHIC MESSAGE. Telegraphic AD's will be distributed by the FAA headquarters Telecommunications Center. Distribution coordination is the responsibility of AIR-100 (AIR-107). (See Order 8100.5.)

a. The AD Issuing Office. The AD issuing office will:

(1) Notify AIR-107 by telephone (FTS 267-9592; COM (202) 267-9592) of the pending emergency AD action. Notification should be made as soon as a decision is made by the accountable directorate to issue a telegraphic AD to avoid delays in distribution. Advise AIR-107 of the make and model(s) of the product affected by the AD and when the AD is expected to be issued and transmitted to AIR-107. When this preliminary notice is made after normal duty hours, contact the FAA headquarters Duty Officer at the Washington Operations Center (FTS 989-5100; COM (202) 863-5100), who will identify and provide telephone connection with the appropriate AIR-107 personnel (see paragraph 122 for assigning identifying numbers).

(2) Obtain from the manufacturer the name, address, and TWX or TELEX number of each person in the United States and any foreign country who purchased or began operating the product affected by the AD within the PRECEDING 3 MONTHS. Transmit the information to AIR-107 by facsimile. Also, advise AVN-110 of the names and addresses in order for that office to process AD's for distribution by mail.

(3) Following issuance of the AD, the issuing office will:

(a) Forward by facsimile a copy of the final AD text with the signature and date of issue to the headquarters Telecommunications Center for distribution. The issuing office must follow up to assure the AD was received and review a copy of the transmitted telegraphic message for accuracy. The issuing office must also forward a copy of the Executive Summary and the AD Coordination Record to AIR-107. This should be transmitted separately from the AD to avoid inadvertent transmission of this information to owners/operators.

(b) Transmit AD via FAA mail to all Aircraft Certification Directorates and ACO's; all manufacturing inspection district offices and manufacturing inspection satellite district offices; all Flight Standards Divisions and district offices; the FAA Technical Center; the Mike Monroney Aeronautical Center; the Aviation Standards National Field Office; and any other office deemed necessary. The AD should be transmitted via FAA mail coincident to its being transmitted telegraphically to U.S. owners and operators, or as soon as possible thereafter, but not before.

b. Headquarters, Aircraft Engineering Division, AIR-100 (AIR-107).

(1) The Continued Airworthiness Staff will provide the FAA headquarters Duty Officer and the headquarters Telecommunications Center with a list of those personnel who are on standby for emergency AD processing.

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(2) Upon receipt of preliminary notification from the AD issuing office, AIR-107 will prepare and deliver to the headquarters Telecommunications Center addresses for the following:

(a) U.S. Owners/Operators. The names and addresses of known U.S. owners and operators of large aircraft used in scheduled air carrier service who are affected by the AD must be divided into three segments:

1 Owners who are not operators (e.g., individuals, banks, leasing companies);

2 Operators not subscribing to Aeronautical Radio, Inc., (ARINC) Electronic Switching System; and

3 Operators subscribing to ARINC. The Washington headquarters Telecommunications Center will provide AIR-107 with a list of ARINC subscribers.

(b) Bilateral Countries. The names and Aeronautical Fixed Telecommunications Network (AFTN) codes of the civil aviation authorities of all countries with which the United States has concluded bilateral airworthiness agreements.

(c) International Civil Aviation Organization (ICAO) Member States. The names and AFTN codes of the civil aviation airworthiness authorities of those ICAO Member States that have notified us of registration of the affected product.

(d) A Fixed List. This list includes FAA offices in other countries, U.S. military, other U.S. Government offices, and special interest groups. This list must be segmented as follows to align with the transmission methods.

1 FAA offices in other countries;

2 Other U.S. Government offices (including U.S. military);

3 Special interest groups (domestic); and

4 Special interest groups (other countries).

(e) Manufacturer(s). The name, address, and ARINC or telex identification of the manufacturer(s) whose products are affected by the AD. The AD issuing office will provide this information to AIR-107.

(f) Special. The AD issuing office and/or AIR-107 may identify any other organization or individual to receive the AD as is appropriate to promote safety. This list must include the name and address of the recipient.

NOTE: The names and addresses of the owners and operators and ICAO Member States that have notified us of registration of the affected product are obtained from AWN-110.



(3) Upon receipt of the signed AD, the FAA headquarters Telecommunications Center will contact AIR-107 to confirm that the AD has an identifying number and has been signed and dated. Upon confirmation, the FAA headquarters Telecommunications Center will transmit the AD to the above addresses.

142. DISTRIBUTION BY PRIORITY LETTER. Airworthiness directives requiring distribution by priority letter will be printed and distributed by AVN-110 in the usual manner, except that telegraphic distribution will be provided to appropriate civil aviation authorities by AIR-107. Also, at the discretion of the issuing office, the AD may be distributed to FAA field offices via FAA mail (see paragraph 141a(3) above). Distribution coordination of the mail-out addresses is the responsibility of AVN-110.

a. Preliminary Notification to AVN-110 and AIR-100 (AIR-107). When an issuing office determines that distribution by priority letter is necessary, that office must notify both AVN-110 and AIR-107 by telephone of the pending action at the earliest possible time. This is necessary to allow leadtime for AVN-110 to obtain computer-generated address labels and for AIR-107 to obtain from AVN-110 the names of ICAO Member States that have notified us of registration of the affected product on their registry. The issuing office will advise both AVN-110 and AIR-107 of the make and model(s) of the product(s) affected by the AD and when the AD will be transmitted.

b. After signature by the issuing office, the office will send the AD to AVN-110 and AIR-107 by facsimile transmission. The issuing office must also transmit a copy of the AD Executive Summary and Coordination Record to AIR-107 and include a statement that distribution to owners and operators via priority letter is required. The Continued Airworthiness Staff will prepare an introductory paragraph for the AD and provide the FAA headquarters Telecommunications Center a copy of the AD and a list of all ICAO Member States that have notified the FAA of registration of the affected product on their registry, along with their AFTN codes. The AD will then be transmitted to the ICAO Member States by telegraphic distribution. Also, at the discretion of the issuing office, the AD may be distributed to FAA field offices via FAA mail (see paragraph 141a(3)). The Engineering and Manufacturing Branch, AVN-110, will process the AD for distribution and prepare mailing lists to the balance of the addressees reflected in paragraph 141b(2) in accordance with any special instructions provided by the issuing office. The issuing office will follow up to ensure the AD was received by both AVN-110 and AIR-107.

143. EARLY NOTIFICATION OF THE AIRCRAFT ENGINEERING DIVISION. Order 8100.5 requires that AIR-100 be notified of impending AD's which are likely to be viewed as unusually burdensome or controversial, resulting in actions such as groundings or costly compliance requirements, or which are likely to result in significant coverage by the news media. Notification should occur when the impact has been fully defined, but sufficiently in advance of issuance to permit appropriate Washington headquarters elements to become aware of the

proposed action. In the case of emergency AD's, facsimile transmission of the proposed AD and preamble to AIR-100 is the preferred means of notification; however, the AD Executive Summary will be acceptable until a draft is available and has been approved by the AD Review Board. A copy of each AD, emergency or routine, shall be sent to AIR-100 when issued.

144.-150. RESERVED.

## SECTION 5. SUMMARY OF AIRWORTHINESS DIRECTIVES

151. SUMMARY DESCRIPTION. Airworthiness directives are compiled into two summaries by Awn-110: The Summary of Small Aircraft and the Summary of Large Aircraft. Airworthiness directives applicable to engines, propellers, and other aeronautical products are contained in the respective small or large aircraft summary. Each summary consists of two books. Book 1 contains AD's issued prior to 1971 which will remain in effect until otherwise suspended, revoked, or amended. Book 2 contains AD's issued during and after 1971.

a. Description of Paper Copy Edition. Book 2 summaries are reconsolidated biennially in even numbered years (1986, 1988, etc.) to include biweekly updates for the previous 2-year period. Book 1 should be retained indefinitely. If an AD from Book 1 is amended, it will appear as a supplement to Book 2. Biweekly supplements of AD activity are provided for a 2-year period to update Book 2.

b. Description of Microfiche Edition. Both the small and large aircraft summaries are reconsolidated annually into one file for both summaries, including Book 1 and Book 2 for each summary. Biweekly supplements are prepared as separate addendums to the basic file. Each new addendum incorporates all previous biweekly supplements for both summaries.

152. SUMMARY AVAILABILITY. The AD summaries are offered for sale by the Mike Monroney Aeronautical Center, acting as an agent for the U.S. Government Printing Office. Purchasing the summary is a means by which persons who do not own aircraft may obtain AD's. Advisory Circular 39-6[ ], Announcement of Availability - Summary of Airworthiness Directives, describes the summaries and presents information regarding content, availability, and costs to subscribers.

### 153. MAILING LISTS FOR AIRWORTHINESS DIRECTIVES SUMMARY DISTRIBUTION.

a. The Mike Monroney Aeronautical Center will prepare and maintain the following:

(1) Lists of purchasers of the current Summary of Airworthiness Directives, Small Aircraft and Large Aircraft. Input to these lists will be from purchase documents received by the Inventory and Cost Accounting Section, AAC-23C, and forwarded to the Distribution Section, AAC-65C, for data conversion.

(2) A list of all ICAO Member States. Input to this list will be provided to AAC-65C by Awn-110.

(3) Lists for mailing AD's to FAA offices, military services, other Government offices, NTSB, and special interest groups or organizations. Input to this list will be provided to AAC-65C by Awn-110.

b. The Engineering and Manufacturing Branch will prepare and maintain the following:

(1) A list of ICAO Member States that have notified the FAA of registration of a U.S.-manufactured aircraft on their registry. Input to this list will come directly from the ICAO Member State.

(2) A list for mailing AD's to scheduled air carriers or their designated agents. Input to this list will be either directly from the air carrier or the FAA office having certificate responsibility. This list will also include the product manufacturer when the information is provided by the responsible region.

(3) A list of civil aviation authorities which have concluded bilateral airworthiness agreements with the United States. Input to this list will be from AIR-100.

(4) A list for sending AD's to FAA offices, military services, NTSB, and special interest groups or organizations. Input to this list will be from the respective regions and AIR-100.

154.-160. RESERVED.

CHAPTER 4. EXEMPTIONS, CERTIFICATE SUSPENSIONS, AND PETITIONS  
FOR RECONSIDERATION OF AIRWORTHINESS DIRECTIVES

161. EXEMPTIONS. Airworthiness directives are Federal Aviation Regulations. Granting of an exemption from any requirement of an AD must be in accordance with the rulemaking procedures prescribed in Part 11, "General Rulemaking Procedures." Part 11 specifies that exemptions must be in the public interest. When a request for exemption is warranted and the situation is not unique to a particular operator, the proper procedure is to amend the AD to provide relief for all operators. See the appendixes for an example of an exemption from certain requirements of an AD.

162. SUSPENSION AND REVOCATION OF AIRWORTHINESS CERTIFICATES. Airworthiness directives are issued to provide notification of an unsafe condition and the conditions under which the affected product may continue to be operated. Airworthiness directives are not issued for the sole purpose of grounding aircraft. When appropriate, the aircraft can be grounded by suspending the airworthiness certification under Section 609 of the FFA Act of 1958. Suspension of the type certificate is not a prerequisite for suspension of airworthiness certificates. The action to suspend or revoke airworthiness certificates will be initiated by the Assistant Chief Counsel or the Office of the Chief Counsel.

163. PETITIONS FOR RECONSIDERATION OF AIRWORTHINESS DIRECTIVES. Section 11.93 of the FAR provides for any interested person to petition for a reconsideration of any AD, provided the petition is filed within 30 days after the rule is published in the Federal Register, and it is not a repetitious petition or presents facts that were not previously considered during development of the rule. The petitioner must briefly state the complaint and how the rule is contrary to the public interest. The petitioner may also request consideration of additional facts, stating their nature and purpose, and the reason they were not presented earlier in the rulemaking process.

164. DISTRIBUTION. Certificate suspensions, exemptions, and reconsideration requests, whether granted or denied, are not distributed in accordance with AD distribution procedures.

a. Exemptions and reconsideration requests. Send the original grant or denial of exemption or reconsideration to the petitioner. A copy of the petition for exemption or reconsideration, and the grant or denial, must be placed in the regional counsel AD docket file.

b. Airworthiness certificate suspension or revocation orders. Airworthiness certificate suspension or revocation orders are served on the parties involved and copies are distributed as prescribed in Order 2150.3A, Compliance and Enforcement Program.

165.-170. RESERVED.

NOTE TO APPENDIXES

As regulatory documents, AD's must conform to the general rule for formats as set forth in the Federal Register rules, 1 CFR Part 18. The following appendixes, while adhering to the prescribed standardized format, are intended to be guides only. Each AD should be treated as unique, and the substantive content developed to meet that particular case. These examples are intended to provide AD authors a sense of rationality while permitting needed flexibility to meet the problems of any given situation. Accordingly, these appendixes are purposely designed not to be all inclusive and examples are not given for every possible drafting need. Rather, the intent is to indicate broad principles and general approaches from which the author may draw to meet a particular case.

APPENDIX 1. EXAMPLE OF NPRM AD

[4910-13]

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. (1) ]

Airworthiness Directives; (2)

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of proposed rulemaking (NPRM).

SUMMARY: This document proposes to adopt an airworthiness directive (AD) that would [require][impose][provide for] (3) on (4). The proposed AD is needed to [prevent][detect] (5) which could result in (6) OR The proposed AD is prompted by a report of (5) which could result in (6).

DATES: Comments must be received on or before (7) .

ADDRESSES: Comments on the proposal may be mailed in duplicate to:

[Address of Regional Rules Docket and docket number], or deliver in duplicate to Room [XX] of the Regional Rules Docket at the above address.

Comments must be marked: Docket No. [XX].

Comments may be inspected at the above location in Room [XX] between [include the regional office duty hours].

The applicable [service bulletin(s)][technical manual(s)][technical news sheet(s)] may be obtained from: (8), or may be examined in the Regional Rules Docket.

FOR FURTHER INFORMATION CONTACT: (9)

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APPENDIX 1. EXAMPLE OF NPRM AD (CONTINUED)

SUPPLEMENTARY INFORMATION: Interested persons are invited to participate in the making of the proposed rule by submitting such written data, views, or arguments as they may desire. Communications should identify the regulatory docket number and be submitted in duplicate to the address specified above. All communications received on or before the closing date for comments will be considered by the agency before any final action is taken on the proposed rule. The proposal contained in this notice may be changed in light of comments.

Comments are specifically invited on the overall regulatory, economic, environmental, and energy aspects of the proposed rule. All comments submitted will be available, both before and after the closing date for comments, in the [location of Regional Rules Docket] for examination by interested persons. A report summarizing each FAA-public contact, concerned with the substance of the proposed AD, will be filed in the Rules Docket.

Commenters wishing the FAA to acknowledge receipt of their comments submitted in response to this notice must submit a self-addressed, stamped postcard on which the following statement is made: Comments to Docket Number [XX]. The postcard will be date/time stamped and returned to the commenter.

[The FAA has determined that (10)] or [There have been reports of (10)]. Since this condition is likely to exist or develop on other [helicopters] [airplanes][engines][products] of the same type design, the proposed AD would require (11) on (12)



APPENDIX 1. EXAMPLE OF NPRM AD (CONTINUED)[Instruction--Example of Notes for Use in Nonmajor NPRM AD's]

The regulations proposed herein would not have substantial direct effects on the States, on the relationship between the national government and the States, or on the distribution of power and responsibilities among the various levels of government. Therefore, in accordance with Executive Order 12612, it is determined that this proposal would not have sufficient federalism implications to warrant the preparation of a Federalism Assessment.

The FAA has determined that this proposed regulation only involves [insert statement showing justification, such as number of aircraft involved and the approximate cost to each aircraft, or other similar statement]. Therefore, I certify that this action (1) is not a "major rule" under Executive Order 12291; (2) is not a "significant rule" under DOT Regulatory Policies and Procedures (44 FR 11034; February 26, 1979); (3) does not warrant preparation of a regulatory evaluation as the anticipated impact is so minimal; and (4) if promulgated, will not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

OR

The regulations proposed herein would not have substantial direct effects on the States, on the relationship between the national government and the States, or on the distribution of power and responsibilities among the various levels of government. Therefore, in accordance with Executive Order 12612, it is determined that this proposal would not have sufficient federalism implications to warrant preparation of a Federalism Assessment.

APPENDIX 1. EXAMPLE OF NPRM AD (CONTINUED)

The FAA has determined that this proposed regulation only involves [insert statement showing justification for nonmajor determination and Regulatory Flexibility Act certification, such as number of aircraft involved and the approximate cost to each aircraft, or other similar statement, or cross-reference justification shown in preamble]. Therefore, I certify that this action (1) is not a "major rule" under Executive Order 12291; (2) is not a "significant rule" under DOT Regulatory Policies and Procedures (44 FR 11034; February 26, 1979); and (3) if promulgated, will not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act. A copy of the draft evaluation prepared for this action is contained in the regulatory docket. A copy of it may be obtained from the Regional Rules Docket.

List of Subjects in 14 CFR Part 39

Air transportation, Aircraft, Aviation safety, Safety.

**THE PROPOSED AMENDMENT**

Accordingly, pursuant to the authority delegated to me by the Administrator, the Federal Aviation Administration proposes to amend Part 39 of the Federal Aviation Regulations as follows:

1. The authority citation for Part 39 continues to read as follows:

Authority: 49 U.S.C. 1354(a), 1421 and 1423; 49 U.S.C. 106(g) (Revised Pub. L. 97-449, January 12, 1983); and 14 CFR 11.85.

2. Section 39.13 is amended by adding the following new AD:

(13)

Compliance required as indicated, unless already accomplished [or compliance required within the next [XXX] hours time-in-service after the effective date of this AD], unless already accomplished.

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8040.1B  
Appendix 1

APPENDIX 1. EXAMPLE OF NPRM AD (CONTINUED)

To prevent (14) , which could result in (15), accomplish the following:

[Insert text of proposed AD]

Issued in [city and State of directorate manager] on (16) .

[Insert typed name of individual signing AD]  
[Acting] Manager, (17) Directorate  
Aircraft Certification Service

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APPENDIX 1. EXAMPLE OF NPRM AD--INSTRUCTIONS

- (1) Docket number will be assigned by the accountable directorate's Assistant Chief Counsel.
- (2) Insert the TC or STC holder's or manufacturer's name and model of the product to which the AD applies, such as "Boeing Model 707 Series Airplanes" or "Teledyne Continental IO-520 Series Engines."
- (3) State briefly exactly what the AD requires, such as "repetitive inspections, repair or replacement, as necessary, and reinforcement of the elevator hinge rib area" or "the installation of a placard prohibiting external load operations."
- (4) Insert the TC or STC holder's or manufacturer's name of product to which the AD applies [same as (2) above].
- (5) State briefly the unsafe condition, such as "an electrical wiring problem," "failure of an aileron control rod tube sleeve," or "cracks in the landing gear."
- (6) State briefly the results of the unsafe condition so that a layman could understand, such as "...could prevent emergency release of external load and cause the loss of the helicopter" or "...could cause aileron failure and consequent loss of control of the airplane."
- (7) Date will be inserted by the accountable directorate's Assistant Chief Counsel. [If the comment deadline is less than 45 days, a reason must be given in the preamble.]
- (8) Insert any applicable address, such as:  
  
Cessna Aircraft Company  
Box 1521  
Wichita, Kansas 67201
- (9) Insert name, address, and phone number of individual who is primarily responsible for originating the AD.
- (10) Briefly summarize the problem found, the TC or STC holder's or manufacturer's name of product in which the problem was found, and the possible result should the problem go uncorrected. For example, "The FAA has determined that the electrical circuits of the external-load hook emergency release on certain Schmitt Model 10 helicopters have been incorrectly wired and could prevent emergency release of the external load which could cause loss of the helicopter."

OR

"There have been [enter number of reports, if appropriate] reports of incorrect wiring of the electrical circuits of the external-load emergency hook release on certain Ver Model 0-10 helicopters that could prevent the emergency release of the external load which could cause loss of the helicopter."

APPENDIX 1. EXAMPLE OF NPRM AD—INSTRUCTIONS (CONTINUED)

- (11) State briefly the requirements of the AD, such as "...would require the installation of a placard prohibiting external load operations," or "the replacement of a specified electrical wiring bundle and change of wiring connections," or "...would require visual repetitive inspections and repair or replacement, as necessary, of the elevator hinge rib area."
- (12) Insert the TC and STC holder's or manufacturer's name of product to which the AD applies [same as (2) above].
- (13) Insert the TC or STC holder's or manufacturer's name of the product to which the AD applies in capital letters. When the product was issued a TC or an STC, the current TC or STC holder's name should be followed by the previous TC or STC holder(s) name in parentheses. Enter applicable models, serial numbers, and any information necessary to identify the product to which the AD applies. For example, ASTRO AEROSPACE: Applies to Astro Aerospace Model 229A series helicopters, certificated in any category, equipped with P/N 12345 main rotor blades.
- (14) State briefly the unsafe condition which the AD will prevent, such as "the possible inability to release an external load" or "possible failure of the outboard and center elevator hinge ribs and associated structure of the horizontal stabilizer."
- (15) State briefly the result of the unsafe condition, such as "...could result in loss of the airplane."
- (16) Date will be inserted by the directorate manager's office when signed.
- (17) Insert the directorate title.

APPENDIX 2. EXAMPLE OF FINAL RULE FOLLOWING NPRM

[4910-13]

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. (1) ; Amendment (2) ]

Airworthiness Directives; (3)

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This amendment adopts a new airworthiness directive (AD) which [requires] [imposes] [provides for] (4) on (5) . [The AD is needed to prevent (6) which could result in (7) ] OR The AD is prompted by a report of (6) which could result in (7)].

DATES: - (18).

[Instruction--if approval of incorporation by reference is involved, insert the following statement here - The incorporation by reference of certain publications listed in the regulations is approved by the Director of the Federal Register as of [date will be inserted by AGC-10 upon approval].]

COMPLIANCE: Required within the next (8) after the effective date of this AD, unless already accomplished. [Instruction--if compliance times in AD are too complex to cover in a short sentence use - As indicated in the body of the AD.]

ADDRESSES: The applicable [service bulletin(s)] [technical manual(s)] [technical news sheet(s)] may be obtained from (9) or may be examined at the Regional Rules Docket [include room number and address of Regional Rules Docket].

APPENDIX 2. EXAMPLE OF FINAL RULE FOLLOWING NPRM (CONTINUED)

FOR FURTHER INFORMATION CONTACT:

(10)

SUPPLEMENTARY INFORMATION: A proposal to amend Part 39 of the Federal Aviation Regulations to include an AD requiring (11) on certain (12) was published in the Federal Register on (13).

The proposal was prompted by (14). [Instruction--include here any appropriate background discussion and significant issues.]

Interested persons have been afforded an opportunity to participate in the making of this amendment. No objections were received. Accordingly, the proposal is adopted without change [or if proposal has been changed, discuss change and give explanation here].

[Instruction--if comments were received, give discussion of comments, the FAA's position on comments, and whether proposal is changed in light of comments.]

[Instruction--Example of Notes for Use in AD Final Rules Following NPRM]

The regulations adopted herein do not have substantial direct effects on the States, on the relationship between the national government and the States, or on the distribution of power and responsibilities among the various levels of government. Therefore, in accordance with Executive Order 12612, it is determined that this final rule will not have sufficient federalism implications to warrant the preparation of a Federalism Assessment.

The FAA has determined that this regulation only involves [insert statement showing justification, such as number of aircraft involved and the approximate cost to each aircraft, or other similar statement.] Therefore,

APPENDIX 2. EXAMPLE OF FINAL RULE FOLLOWING NPRM (CONTINUED)

I certify that this action (1) is not a "major rule" under Executive Order 12291; (2) is not a "significant rule" under DOT Regulatory Policies and Procedures (44 FR 11034; February 26, 1979); (3) does not warrant preparation of a regulatory evaluation as the anticipated impact is minimal; and (4) will not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

OR

The regulations adopted herein do not have substantial direct effects on the States, on the relationship between the national government and the States, or on the distribution of power and responsibilities among the various levels of government. Therefore, in accordance with Executive Order 12612, it is determined that this final rule will not have sufficient federalism implications to warrant the preparation of a Federalism Assessment.

The FAA has determined that this regulation only involves [insert statement showing justification for nonmajor determination and Regulatory Flexibility Act certification, such as number of aircraft involved and the approximate cost to each aircraft, or other similar statement]. Therefore, I certify that this action (1) is not a "major rule" under Executive Order 12291; (2) is not a "significant rule" under DOT Regulatory Policies and Procedures (44 FR 11034; February 26, 1979); and (3) will not have a significant impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act. A copy of the final evaluation prepared for this action is contained in the regulatory docket. A copy of it may be obtained from the Regional Rules Docket.



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APPENDIX 2. EXAMPLE OF FINAL RULE FOLLOWING NPRM (CONTINUED)

List of Subjects in 14 CFR Part 39

Air transportation, Aircraft, Aviation safety, Safety, and Incorporation  
by reference [if appropriate].

ADOPTION OF THE AMENDMENT

Accordingly, pursuant to the authority delegated to me by the  
Administrator, the Federal Aviation Administration amends Part 39 of the  
Federal Aviation Regulations as follows:

1. The authority citation for Part 39 continues to read as follows:

Authority: 49 U.S.C. 1354(a), 1421 and 1423; 49 U.S.C. 106(g) (Revised,  
Pub. L. 97-449, January 12, 1983); and 14 CFR 11.89.

2. Section 39.13 is amended by adding the following new AD:

(15)

Compliance required as indicated, unless already accomplished.

To prevent (16) , which could result in (17), accomplish the  
following:

[Insert text of AD]

[Instruction--if approval of incorporation by reference is involved, insert the  
following statement--The [repair and inspection procedures] shall be done in  
accordance with [Vega Service Bulletin No. 25, dated November 16, 1983]. This  
incorporation by reference was approved by the Director of the Federal Register  
in accordance with 5 U.S.C. 552(a) and 1 CFR Part 51. Copies may be obtained  
from [name and address of manufacturer]. Copies may be inspected at  
[insert issuing office name and address] or at the Office of the Federal  
Register, 1100 L Street, NW., Room 8301, Washington, DC.

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Appendix 2

APPENDIX 2. EXAMPLE OF FINAL RULE FOLLOWING NPRM (CONTINUED)

This amendment becomes effective       (18)      

Issued in [city and State of directorate manager] on       (19)       .

[Insert typed name of individual signing AD]  
[Acting] Manager,       (20)       Directorate  
Aircraft Certification Service

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APPENDIX 2. EXAMPLE OF FINAL RULE FOLLOWING NPRM--INSTRUCTIONS

- (1) The docket number will be assigned by the accountable directorate's Assistant Chief Counsel.
- (2) The amendment number will be inserted by the accountable directorate's Assistant Chief Counsel after AD is signed. The number is obtained from AWW-110.
- (3) Insert the TC or STC holder's or manufacturer's name and model of the product to which the AD applies, such as "Boeing Model 707 Series Airplane" or "Teledyne Continental IO-520 Series Engines."
- (4) State briefly what the AD requires, such as "repetitive inspection and repair or replacement, as necessary, of the elevator hinge rib area" or "the installation of a placard prohibiting external load operations."
- (5) Insert TC or STC holder's or manufacturer's name of product to which AD applies [same as (3) above].
- (6) State briefly the unsafe condition, such as "an electrical wiring problem" or "failure of an aileron control rod tube sleeve."
- (7) State briefly the results of the unsafe condition so that a layman could understand, such as "...could prevent emergency release of the external load and cause the loss of the helicopter" or "...could cause aileron failure and consequent loss of control of the airplane."
- (8) Insert number of hours time-in-service or other limit allowed before compliance is required.
- (9) Insert any applicable addresses.
- (10) Insert name, address, and phone number of individual who is primarily responsible for originating the AD.
- (11) State briefly the requirements of the AD, such as "inspection of the horizontal stabilizer for cracks and repair, as necessary," or "modification of the gearbox oil pump and repetitive inspections of the gearbox magnetic chip detector."
- (12) Insert the TC or STC holder's or manufacturer's name of product to which the AD applies [same as (3) above].
- (13) Insert date the Federal Register notice was published which contained the proposal and the appropriate volume and page number; i.e., 47 FR 4222; (June 15, 1982).

APPENDIX 2. EXAMPLE OF FINAL RULE FOLLOWING NPRM--INSTRUCTIONS (CONTINUED)

(14) Briefly summarize the problem found and the possible result should the problem go uncorrected. For example, "The FAA determined that the electrical circuits of the external load hook emergency release have been incorrectly wired and could prevent emergency release of an external load, which could cause the loss of the helicopter."

OR

"There are reports that the electrical circuits of the external load hook emergency release have been incorrectly wired and could prevent emergency release of an external load, which could cause the loss of the helicopter."

(15) Insert the TC or STC holder's or manufacturer's name of the product to which the AD applies in capital letters. When the product was issued a TC or an STC, the current TC or STC holder's name should be followed by previous TC or STC holder(s) name in parentheses. Enter applicable models, serial numbers, and any information necessary to identify the product to which the AD applies. For example: ASTRO AEROSPACE: Applies to Astro Aerospace Model Z29A series helicopters, certificated in any categories, equipped with P/N 12345 main rotor blades.

(16) State briefly the problem which the AD seeks to prevent, such as "the possible inability to release an external load" or "possible failure of the outboard and center elevator hinge ribs and associated structure of the horizontal stabilizer...."

(17) State briefly the result of the unsafe condition, such as "...could result in loss of the airplane."

(18) The date will be inserted by the accountable directorate's Assistant Chief Counsel.

(19) The date will be inserted by directorate manager's office when signed.

(20) Insert the directorate title.

APPENDIX 3. EXAMPLE OF AN EMERGENCY (IMMEDIATELY ADOPTED) RULE AD

[4910-13]

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. (1) ; Amendment (2) ]

Airworthiness Directives; (3)

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This amendment adopts a new airworthiness directive (AD) which [requires] [imposes] [provides for] (4) on (5) . [The AD is needed to prevent (6) which could result in (7) ] OR [The AD is prompted by a report of (6) which could result in (7)].

DATES: - (17)

[Instruction—if approval of incorporation by reference is involved, insert the following statement—The incorporation by reference of certain publications listed in the regulations is approved by the Director of the Federal Register as of [date will be inserted by AGC-10 upon approval].

NOTE: See paragraph 98e(3)(d) for a discussion of incorporation by reference and immediately adopted (emergency) AD's.

COMPLIANCE: Required within the next (8) after the effective date of this AD, unless already accomplished. [Instruction—if compliance times in AD are too complex to cover in a short sentence, use - As indicated in the body of the AD.]

ADDRESSES: The applicable [service bulletin(s)] [technical manual(s)] [technical news sheet(s)] may be obtained from (9) or may be examined in

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APPENDIX 3. EXAMPLE OF AN EMERGENCY (IMMEDIATELY ADOPTED) RULE AD  
(CONTINUED)

the Regional Docket [include room number and address of Regional Rules Docket].

FOR FURTHER INFORMATION CONTACT:

(10)

SUPPLEMENTARY INFORMATION: [The FAA has determined that (11) ] OR  
[There have been reports of (11) ]. Since this condition is  
likely to exist or develop on other [helicopters][airplanes][engines]  
[products] of the same type design, an AD is being issued which requires  
(12) on (13).

[Since a situation exists that requires the immediate adoption of this  
regulation, it is found that notice and public procedure hereon are  
impracticable, and good cause exists for making this amendment effective in  
less than 30 days.]

OR

[Since this amendment provides a clarification only and imposes no  
additional burden on any person, notice and public procedure hereon are  
unnecessary, and the amendment may be made effective in less than 30 days.]

[Instruction--Example of Notes for Use in an Emergency (Immediately  
Adopted) Rule AD]

The regulations adopted herein do not have substantial direct effects  
on the States, on the relationship between the national government and the  
States, or on the distribution of power and responsibilities among the  
various levels of government. Therefore, in accordance with Executive  
Order 12612, it is determined that this final rule will not have sufficient  
Federalism implications to warrant the preparation of a Federalism Assessment.

APPENDIX 3. EXAMPLE OF AN EMERGENCY (IMMEDIATELY ADOPTED) RULE AD  
(CONTINUED)

The FAA has determined that this regulation is an emergency regulation that is not considered to be major under Executive Order 12291. It is impracticable for the agency to follow the procedures of Executive Order 12291 with respect to this rule since the rule must be issued immediately to correct an unsafe condition in aircraft. It has been further determined that this action involves an emergency regulation under DOT Regulatory Policies and Procedures (44 FR 11034; February 26, 1979). If this action is subsequently determined to involve a significant/major regulation, a final regulatory evaluation or analysis, as appropriate, will be prepared and placed in the regulatory docket (otherwise, an evaluation or analysis is not required). A copy of it, when filed, may be obtained from the Regional Rules Docket.

List of Subjects in 14 CFR Part 39

Air transportation, Aircraft, Aviation safety, Safety, and  
Incorporation by reference [if appropriate].

ADOPTION OF THE AMENDMENT

Accordingly, pursuant to the authority delegated to me by the Administrator, the Federal Aviation Administration amends Part 39 of the Federal Aviation Regulations as follows:

1. The authority citation for Part 39 continues to read as follows:

Authority: 49 U.S.C. 1354(a), 1421 and 1423; 49 U.S.C. 106(g)  
(Revised, Pub. L. 97-449, January 12, 1983); and 14 CFR 11.89.

2. Section 39.13 is amended by adding the following new AD:

(14)

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APPENDIX 3. EXAMPLE OF AN EMERGENCY (IMMEDIATELY ADOPTED) RULE AD  
(CONTINUED)

Compliance is required as indicated, unless already accomplished.

To prevent (15) , which could result in (16), accomplish  
the following:

[Insert text of AD]

[Instruction—If approval of incorporation by reference is involved, insert  
the following statement—The [repair and inspection procedures] shall be  
done in accordance with [Vega Service Bulletin No. 25, dated November 16,  
1983]. This incorporation by reference was approved by the Director of the  
Federal Register in accordance with 5 U.S.C. 552(a) and 1 CFR Part 51.  
Copies may be obtained from [name and address of manufacturer]. Copies may  
be inspected at [insert issuing office name and address] or at the Office  
of the Federal Register, 1100 L Street, NW., Room 8301, Washington, DC.

This amendment becomes effective (17)

Issued in [city and State of directorate manager] on (18).

[Insert typed name of individual signing AD]  
[Acting] Manager, (19) Directorate  
Aircraft Certification Service



APPENDIX 3. EXAMPLE OF AN EMERGENCY (IMMEDIATELY ADOPTED) RULE AD  
INSTRUCTIONS

- (1) The docket number will be assigned by the accountable directorate's Assistant Chief Counsel.
- (2) The amendment number will be inserted by the accountable directorate's Assistant Chief Counsel after the AD is signed. The number is obtained from AVN-110.
- (3) Insert the TC or STC holder's or manufacturer's name and model of the product to which the AD applies, such as "Boeing Model 707 Series Airplanes" or "Teledyne Continental IO-520 Series Engines."
- (4) State briefly what the AD requires, such as "repetitive inspection and repair or replacement, as necessary, of the elevator hinge rib area" or "the installation of a placard prohibiting external load operations."
- (5) Insert the TC or STC holder's or manufacturer's name of product to which the AD applies [same as (3) above].
- (6) State briefly the unsafe condition, such as "an electrical wiring problem" or "failure of an aileron control rod tube sleeve."
- (7) State briefly the results of the unsafe condition so that a layman could understand, such as "...could prevent emergency release of the external load and cause the loss of the helicopter" or "...could cause aileron failure and consequent loss of control of the airplane."
- (8) Insert the number of hours time-in-service [or number of landings or other limit] allowed before compliance is required.
- (9) Insert any applicable address.
- (10) Insert name, address, and phone number of the individual who is primarily responsible for originating the AD.
- (11) Briefly summarize the problem found, the TC or STC holder's or manufacturer's name of product in which the problem was found, and the possible result should the problem go uncorrected. For example, "The FAA has determined that the electrical circuits of the external load hook emergency release on certain Schmitt Model 10 helicopters have been incorrectly wired and could prevent emergency release of an external load, which could cause the loss of the helicopter."

OR

"There have been (enter number of reports, if appropriate) reports of incorrect wiring of the electrical circuits of the external load emergency

APPENDIX 3. EXAMPLE OF AN EMERGENCY (IMMEDIATELY ADOPTED)  
RULE AD--INSTRUCTIONS (CONTINUED)

hook release on certain Jones Model 10 helicopters that could prevent the emergency release of an external load, which could cause loss of the helicopter."

(12) State briefly the requirements of the AD, such as "inspection of the horizontal stabilizer for cracks and repair, as necessary," or "modification of the gearbox oil pump and repetitive inspections of the gearbox magnetic chip detector."

(13) Insert the TC or STC holder's or manufacturer's name of product to which the AD applies [same as (3) above].

(14) Insert the TC or STC holder's or manufacturer's name of the product to which the AD applies in capital letters. When the product was issued a TC or an STC, the current TC or STC holder(s) name should be followed by previous TC or STC holder(s) names in parentheses. Enter applicable models, serial numbers, and any information necessary to identify the product to which the AD applies. For example: ASTRO AEROSPACE: Applies to Astro Aerospace Model Z29A series helicopters, certificated in any category, equipped with P/N 12345 main rotor blades.

(15) State briefly the unsafe condition which the AD will prevent, such as "the possible inability to release an external load" or "possible failure of the outboard and center elevator hinge ribs and associated structure of the horizontal stabilizer...."

(16) State briefly the result of the unsafe condition, such as "...could result in loss of the airplane."

(17) The date will be inserted by the accountable directorate's Assistant Chief Counsel.

(18) The date will be inserted by directorate manager's office when signed.

(19) Insert the directorate title.

APPENDIX 4. EXAMPLE OF ADOPTED RULE AMENDMENT TO AD

[4910-13]

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. (1) ; Amdt. 39- (2) ]

Airworthiness Directives; (3)

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This amendment amends Airworthiness Directive (AD) (4)  
which [required][imposed][provided for] (5) on (3) . [This  
amendment is needed to (6)].

DATES: (22)

[Instruction--if approval of incorporation by reference is involved, insert the  
following statement here--The incorporation by reference of certain  
publications listed in the regulations is approved by the Director of the  
Federal Register as of [date will be inserted by AGC-10 upon approval].]

COMPLIANCE: Required within the next (7) after the effective date  
of this AD, unless already accomplished. [Instruction--if compliance  
times in AD are too complex to cover in a short sentence use - As  
indicated in the body of the AD.]

ADDRESSES: The applicable [service bulletin(s)] [technical manual(s)]  
[technical news sheet(s)] may be obtained from (8) or may be examined in  
the Regional Rules Docket [include room number and address of regional Rules  
Docket].

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APPENDIX 4. EXAMPLE OF ADOPTED RULE AMENDMENT TO AD (CONTINUED)

FOR FURTHER INFORMATION CONTACT:

(9)

SUPPLEMENTARY INFORMATION: This amendment [further] amends Amendment (10) (11), AD (12), [~~if applicable~~--as amended by Amendment (13) (14)], which currently [requires][imposes][provides for] (15) on (3). After issuing Amendment (16), the FAA has determined (17). Therefore, the FAA is [further] amending Amendment (10), [as amended,] by (18) on (3).

[Since a situation exists that requires the immediate adoption of this regulation, it is found that notice and public procedure hereon are impracticable and good cause exists for making this amendment effective in less than 30 days.]

OR

[Since this amendment provides a clarification only, and imposes no additional burden on any person, notice and public procedure hereon are unnecessary, and the amendment may be made effective in less than 30 days.]

[Instruction--Example of Note for Use in an Emergency (Immediately Adopted)  
Rule AD]

The regulations adopted herein do not have substantial direct effects on States, on the relationship between the national government and the States, or on the distribution of power and responsibilities among the various levels of government. Therefore, in accordance with Executive Order 12612, it is determined that this final rule will not have sufficient federalism implications to warrant the preparation of a Federalism Assessment.

The FAA has determined that this regulation is an emergency regulation that is not considered to be major under Executive Order 12291. It is

APPENDIX 4. EXAMPLE OF ADOPTED RULE AMENDMENT TO AD (CONTINUED)

impracticable for the agency to follow the procedures of Executive Order 12291 with respect to this rule since the rule must be issued immediately to correct an unsafe condition in aircraft. It has been further determined that this action involves an emergency regulation under DOT Regulatory Policies and Procedures (44 FR 11034; February 26, 1979). If this action is subsequently determined to involve a significant/major regulation, a final regulatory evaluation or analysis, as appropriate, will be prepared and placed in the regulatory docket (otherwise, an evaluation or analysis is not required). A copy of it, when filed, may be obtained by contacting the person identified under the caption "FOR FURTHER INFORMATION CONTACT."

[Instruction--Example of Note for Use in Nonemergency AD's]

The regulations adopted herein do not have substantial direct effects on the States, on the relationship between the national government and the States, or on the distribution of power and responsibilities among the various levels of government. Therefore, in accordance with Executive Order 12612, it is determined that this final rule will not have sufficient federalism implications to warrant the preparation of a Federalism Assessment.

The FAA has determined that this regulation only involves (insert statement showing justification for nonmajor determination, such as number of aircraft involved and the approximate cost to each aircraft, or other similar statement). Therefore, I certify that this action (1) is not a "major rule" under Executive Order 12291, and (2) is not a "significant rule" under DOT Regulatory Policies and Procedures (44 FR 11034; February 26, 1979). A copy of the final evaluation prepared for this action is contained in the regulatory docket. A copy of it may be obtained from the Regional Rules Docket.

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APPENDIX 4. EXAMPLE OF ADOPTED RULE AMENDMENT TO AD (CONTINUED)

List of Subjects in 14 CFR Part 39

Air transportation, Aircraft, Aviation safety, Safety, and Incorporation by reference [if appropriate].

ADOPTION OF THE AMENDMENT

Accordingly, pursuant to the authority delegated to me by the Administrator, the Federal Aviation Administration amends Part 39 of the Federal Aviation Regulations as follows:

1. The authority citation for Part 39 continues to read as follows:

Authority: 49 U.S.C. 1354(a), 1421 and 1423; 49 U.S.C. 106(g) (Revised, Pub. L. 97-449, January 12, 1983); and 14 CFR 11.89.

2. Section 39.13 is amended by [further] amending Amendment (10) (11), AD (12), [if applicable - as amended by Amendment(s) (13) (14) by [revising] [deleting] [adding]:

[Instruction--to maintain maintenance record continuity, paragraph designations should remain the same, if at all possible.]

(19)

Compliance is required as indicated, unless already accomplished.

To prevent (20) , which could result in (20) , accomplish the following:

[Insert text of new AD or paragraphs that are being revised]

[Instruction--if approval of incorporation by reference is involved, insert the following statement--The [repair and inspection procedures] shall be done in accordance with [Vega Service Bulletin No. 25, dated November 16, 1983]. This incorporation by reference was approved by the Director of the Federal Register

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Appendix 4

APPENDIX 4. EXAMPLE OF ADOPTED RULE AMENDMENT TO AD (CONTINUED)

in accordance with 5 U.S.C. 552(a) and 1 CFR Part 51. Copies may be obtained from [name and address of manufacturer]. Copies may be inspected at [insert issuing office name and address] or at the Office of the Federal Register, 1100 L Street, NW., Room 8301, Washington, DC.

This amendment becomes effective \_\_\_\_\_ (22)

This amendment amends Amendment (10) (11), AD (12).

Issued in [city and State directorate manager] on \_\_\_\_\_ (23).

[Insert typed name of individual signing AD]  
[Acting] Manager, \_\_\_\_\_ (24) Directorate  
Aircraft Certification Service

APPENDIX 4. EXAMPLE OF ADOPTED RULE AMENDMENT TO AD--INSTRUCTIONS

- (1) The docket number will be assigned by the accountable directorate's Assistant Chief Counsel.
- (2) The amendment number will be inserted by the accountable directorate's Assistant Chief Counsel after the AD is signed. The number is obtained from AVN-110.
- (3) Insert the TC or STC holder's or manufacturer's name and model of the product to which the AD applies (in general terms), such as "Boeing Model 707 Series Airplanes" or "Teledyne Continental IO-520 Series Engines."
- (4) Insert the AD number of AD being amended.
- (5) State briefly what the original AD required, such as "repetitive inspection and repair or replacement, as necessary, of the elevator hinge rib area" or "installation of a placard prohibiting external load operations."
- (6) State the reason for the amendment. For example, if an AD were published which read, "To prevent the inadvertent selection of a fuel selector off position, accomplish the following," it may be necessary to clarify the AD by amending it to read "To prevent the inadvertent selection of the off position on a selector valve, accomplish the following." In other words, the AD has been clarified, but there has been no significant change in its requirements. Another example is an AD issued without the provision for approval of an equivalent means of compliance. If this occurred, it would be appropriate to amend the AD by including the standard phraseology for this provision.
- (7) Insert the number of hours time-in-service or other limit allowed before compliance is required.
- (8) Insert any applicable addresses.
- (9) Insert the name, address, and phone number of the individual who is primarily responsible for originating the AD.
- (10) Insert the original amendment number of the AD which is being amended. [Numbers beginning with "39-" indicate amendments to Part 39, whereas other numbers indicate amendments to old Part 507.]
- (11) Insert the Federal Register citation of the original AD amendment covered in (9) above, such as ["31 FR 17466; December 31, 1966"].
- (12) Insert the AD number of the amendment covered in (9).
- (13) Insert amendment number(s) of previous amendment(s) to the original AD.



APPENDIX 4. EXAMPLE OF ADOPTED RULE AMENDMENT TO AD--INSTRUCTIONS (CONTINUED)

(14) Insert Federal Register citation(s) of previous amendment(s) to the original AD.

(15) State briefly the requirements of the original AD that are being amended, such as "inspection of the horizontal stabilizer for cracks and repair, as necessary," or "modification of the gearbox oil pump and repetitive inspections of the gearbox magnetic chip detector."

(16) Insert the amendment number of the AD which is being amended.

(17) Briefly state the finding by the FAA which prompted issuance of the amendment. For example: [The manufacturer designed newly improved parts which will provide an equivalent level of safety] OR [The provision for special flight permits under FAR §§ 21.197 and 21.199 was inadvertently omitted] OR [The FAA determined that there is a need to clarify the inspection method described].

(18) State briefly the change made, such as [adds provision for approval of an alternate means of compliance] [allows for special flight permits under FAR §§ 21.197 and 21.199].

(19) Insert the TC or STC holder's or manufacturer's name of the product to which the AD applies in capital letters. When the product was issued a TC or an STC, the current TC or STC holder(s) name should be followed by previous TC or STC holder(s) names in parentheses. Enter applicable models, serial numbers, and any information necessary to identify the product to which the AD applies. For example: ASTRO AEROSPACE: Applies to Aerospace Model Z29A series helicopters, certificated in any category, equipped with P/N 12345 main rotor blades.

(20) State briefly the unsafe condition, such as "cracks of the main rotor blade fork."

(21) State briefly the result of the unsafe condition, such as "...could lead to failure and subsequent loss of the helicopter."

(22) The date will be inserted by the accountable directorate's Assistant Chief Counsel.

(23) The date will be inserted by the directorate manager's office when signed.

(24) Insert the directorate title.

APPENDIX 5. EXAMPLE OF SUPERSEDING AD

[4910-13]

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. (1) ; Amendment (2) ]

Airworthiness Directives; (3)

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This amendment adopts a new airworthiness directive (AD) applicable to (3), which supersedes AD (4), Amendment (5). The new AD [requires] [imposes] [provides for] (6). [The new AD is needed to prevent (7) which could result in (8)] OR [The AD is prompted by a report of (7) which could result in (8)].

DATES: (19)

[Instruction--if approval of incorporation by reference is involved, insert the following statement here--The incorporation by reference of certain publications listed in the regulations is approved by the Director of the Federal Register as of [date will be inserted by AGC-10 upon approval].]

COMPLIANCE: Required within the next (9) after the effective date of this AD, unless already accomplished. [Instruction--if compliance times in AD are too complex to cover in a short sentence, use - As indicated in the body of the AD.]

ADDRESSES: The applicable [service bulletin(s)] [technical manual(s)] [technical news sheet(s)] may be obtained from (10) or may be examined in the Regional Docket [include room number and address of Regional Rules Docket].

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APPENDIX 5. EXAMPLE OF SUPERSEDING AD (CONTINUED)

FOR FURTHER INFORMATION CONTACT:

(11)

SUPPLEMENTARY INFORMATION: Airworthiness Directive (AD) (4), Amendment (5) (12), currently [requires] [imposes] [provides for] (13) on (3). After issuing AD (4), [the FAA has determined that (14)] OR [there have been reports of (14)]. Therefore, the FAA is superseding AD (4) by (15) on (3).

[Since a situation exists that requires the immediate adoption of this regulation, it is found that notice and public procedure hereon are impracticable and good cause exists for making this amendment effective in less than 30 days.]

[Instruction--Example of Note for Use in Emergency (Immediately Adopted) Rule AD's]

The regulations adopted herein do not have substantial direct effects on States, on the relationship between the national government and the States, or on the distribution of power and responsibilities among the various levels of government. Therefore, in accordance with Executive Order 12612, it is determined that this final rule will not have sufficient federalism implications to warrant the preparation of a Federalism Assessment.

The FAA has determined that this regulation is an emergency regulation that is not considered to be major under Executive Order 12291. It is impracticable for the agency to follow the procedures of Executive Order 12291 with respect to this rule since the rule must be issued immediately to correct an unsafe condition in aircraft. It has been further determined that this action involves an emergency regulation under DOT Regulatory Policies and Procedures (44 FR 11034; February 26, 1979). If this action is subsequently determined to involve a significant/major regulation, a final regulatory

APPENDIX 5. EXAMPLE OF SUPERSEDING AD (CONTINUED)

evaluation or analysis, as appropriate, will be prepared and placed in the regulatory docket (otherwise, an evaluation or analysis is not required).

A copy of it, when filed, may be obtained by contacting the Rules Docket at the location provided under the caption "ADDRESSES."

[Instruction--Example of Note for Use in Nonemergency AD's]

The regulations adopted herein do not have substantial direct effects on the States, on the relationship between the national government and the States, or on the distribution of power and responsibilities among the various levels of government. Therefore, in accordance with Executive Order 12612, it is determined that this final rule will not have sufficient federalism implications to warrant the preparation of a Federalism Assessment.

The FAA has determined that this regulation only involves (insert statement showing justification for nonmajor determination, such as number of aircraft involved and the approximate cost to each aircraft, or other similar statement). Therefore, I certify that this action (1) is not a "major rule" under Executive 12291, and (2) is not a "significant rule" under DOT Regulatory Policies and Procedures (44 FR 11034; February 26, 1979). A copy of the final evaluation prepared for this action is contained in the regulatory docket. A copy of it may be obtained by contacting the Rules Docket at the location provided under the caption "ADDRESSES."

List of Subjects in 14 CFR Part 39

Air transportation, Aircraft, Aviation safety, Safety, and Incorporation by reference [if appropriate].

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APPENDIX 5. EXAMPLE OF SUPERSEDING AD (CONTINUED)

ADOPTION OF THE AMENDMENT

Accordingly, pursuant to the authority delegated to me by the Administrator, the Federal Aviation Administration amends Part 39 of the Federal Aviation Regulations as follows:

1. The authority citation for Part 39 continues to read as follows:

Authority: 49 U.S.C. 1354(a), 1421 and 1423; 49 U.S.C. 106(g) (Revised, Public L. 97-449, January 12, 1983); and 14 CFR 11.89.

2. Section 39.13 is amended by adding the following new AD:

(16)

Compliance is required as indicated, unless already accomplished.

To prevent (17) , which could result in (18), accomplish the following:

[Insert text of AD]

[Instruction--if approval of incorporation by reference is involved, insert the following statement--The [repair and inspection procedures] shall be done in accordance with [Vega Service Bulletin No. 25, dated November 16, 1983]. This incorporation by reference was approved by the Director of the Federal Register in accordance with 5 U.S.C. 552(a) and 1 CFR Part 51. Copies may be obtained from [name and address of manufacturer]. Copies may be inspected at [insert issuing office name and address] or at the Office of the Federal Register, 1100 L Street, NW., Room 8301, Washington, DC.

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Appendix 5

APPENDIX 5. EXAMPLE OF SUPERSEDING AD (CONTINUED)

This amendment supersedes AD (4), Amendment (5)

This amendment becomes effective (19)

Issued in [city and State of directorate manager on (20)].

[Insert typed name of individual signing AD]  
[Acting] Manager, (21) Directorate  
Aircraft Certification Service

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APPENDIX 5. EXAMPLE OF SUPERSEDING AD--INSTRUCTIONS

- (1) The Docket number will be assigned by the accountable directorate's Assistant Chief Counsel.
- (2) The amendment number will be inserted by the accountable directorate's Assistant Chief Counsel after the AD is signed. The number is obtained from AWN-110.
- (3) Insert the TC or STC holder's or manufacturer's name and model of the product to which the AD applies, such as "Boeing Model 707 Series Airplanes" or "Teledyne Continental IO-520 Series Engines."
- (4) Insert the AD number of the AD which is being superseded.
- (5) Insert the amendment number of the AD which is being superseded.
- (6) State briefly what the AD requires, such as "daily check and repetitive dye penetrant inspection of the main rotor blade fork, and replacement if cracks are found."
- (7) State briefly the unsafe condition, such as "cracks of the main rotor blade fork."
- (8) State briefly the results of the unsafe condition so that a layman could understand, such as "...could lead to failure of the main rotor blade fork, and result in loss of the helicopter."
- (9) Insert the number of hours time-in-service or other limit allowed before compliance is required.
- (10) Insert any applicable addresses.
- (11) Insert the name, address, and phone number of the individual who is primarily responsible for originating the AD.
- (12) Insert Federal Register citation of the AD amendment which is being superseded, such as (31 FR 17446; December 31, 1966).
- (13) State exactly what the original AD required, such as "repetitive visual inspection of the main rotor blade fork, and replacement if cracks are found."
- (14) Summarize the findings by the FAA which prompted issuance of the superseding AD, such as "reports of main rotor blade fork failures that have been visually inspected in accordance with...."

APPENDIX 5. EXAMPLE OF SUPERSEDING AD—INSTRUCTIONS (CONTINUED)

(15) State exactly the change made or the requirements of the new AD, such as "requires daily visual check and 100-hour dye penetrant inspection of the main rotor blade for cracks, and replacement if cracks are found.

(16) Insert the TC or STC holder's or manufacturer's name of the product to which the AD applies in capital letters. When the product was issued a TC or an STC, the current TC or STC holder(s) name should be followed by previous TC or STC holder(s) names in parentheses. Enter applicable models, serial numbers, and any information necessary to identify the product to which the AD applies. For example: ASTRO AEROSPACE: Applies to Astro Aerospace Model Z29A series helicopters, certificated in any categories, equipped with P/N 12345 main rotor blades.

(17) State briefly the unsafe condition, such as "cracks of the main rotor blade fork."

(18) State briefly the result of the unsafe condition, such as "...could lead to failure and subsequent loss of the helicopter."

(19) The date will be inserted by the accountable directorate's Assistant Chief Counsel.

(20) The date will be inserted by directorate manager's office when signed.

(21) Insert the directorate title.



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Appendix 6

APPENDIX 6. EXAMPLE OF FINAL RULE FOLLOWING TELEGRAPHIC  
OR PRIORITY LETTER AD

[4910-13]

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. (1) ; Amendment (2)

Airworthiness Directives; (3)

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This action publishes in the Federal Register and makes effective as to all persons an amendment adopting Airworthiness Directive (AD) (4) which was previously made effective as to all known U.S. owners and operators of certain (5) by individual [telegrams][letters]. The AD [required] [imposed][provided for] (6). [The AD was needed to prevent (7) which could result in (8) OR [The AD was prompted by a report of (7) which could result in (8).]

DATES: Effective (19), as to all persons except those persons to whom it was made immediately effective by [telegraphic AD] [priority letter AD] (4), issued (9), which contained this amendment.

[Instruction—if approval of incorporation by reference is involved, insert the following statement here—The incorporation by reference of certain

publications listed in the regulations is approved by the Director of the Federal Register as of [date will be inserted by AGC-10 upon approval].]

COMPLIANCE: Required within the next (10) after the effective date of this AD, unless already accomplished. [Instruction—if compliance times in AD are too complex to cover in a short sentence use - As indicated in the body of the AD.]

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APPENDIX 6. EXAMPLE OF FINAL RULE FOLLOWING TELEGRAPHIC  
OR PRIORITY LETTER AD (CONTINUED)

ADDRESSES: The applicable [service bulletin(s)] [technical manual(s)] [technical news sheet(s)] may be obtained from (11) or may be examined in the Regional Rules Docket [include room number and address of Regional Rules Docket].]

FOR FURTHER INFORMATION CONTACT:

(12)

SUPPLEMENTARY INFORMATION: On (9), [telegraphic AD] [priority letter AD] [4] was issued and made effective immediately as to all known U.S. owners and operators of certain (13). The AD [required][imposed][provided for] (14). [AD action was necessary to prevent (15)] OR [The AD was prompted by a report of (15)].

Since it was found that immediate corrective action was required, notice and public procedure thereon were impracticable and contrary to the public interest, and good cause existed to make the AD effective immediately by individual [telegrams] [letters] issued (9) to all known U.S. owners and operators of certain (13). These conditions still exist, and the AD is hereby published in the Federal Register as an amendment to § 39.13 of Part 39 of the FAR to make it effective as to all persons.

[Instruction—Example of Note for Use in Final Rule Following Telegraphic or Priority Letter AD]

The regulations adopted herein do not have substantial direct effects on the States, on the relationship between the national government and the States, or on the distribution of power and responsibilities among the various levels of government. Therefore, in accordance with Executive Order 12612, it is determined that this final rule will not have sufficient federalism implications to warrant the preparation of a Federalism Assessment.

APPENDIX 6. EXAMPLE OF FINAL RULE FOLLOWING TELEGRAPHIC  
OR PRIORITY LETTER AD (CONTINUED)

The FAA has determined that this regulation is an emergency regulation that is not considered to be major under of Executive Order 12291. It is impracticable for the agency to follow the procedures of Executive Order 12291 with respect to this rule since the rule must be issued immediately to correct an unsafe condition in aircraft. It has been further determined that this action involves an emergency regulation under DOT Regulatory Policies and Procedures (44 FR 11034; February 26, 1979). If this action is subsequently determined to involve a significant/major regulation, a final regulatory evaluation or analysis, as appropriate, will be prepared and placed in the regulatory docket (otherwise, an evaluation or analysis is not required). A copy of it, when filed, may be obtained by contacting the Rules Docket at the location provided under the caption "ADDRESSES."

List of Subjects in 14 CFR Part 39

Air transportation, Aircraft, Aviation safety, Safety, and Incorporation by reference [if appropriate].

ADOPTION OF THE AMENDMENT

Accordingly, pursuant to the authority delegated to me by the Administrator, the Federal Aviation Administration amends Part 39 of the Federal Aviation Regulations as follows:

1. The authority citation for Part 39 continues to read as follows:

Authority: 49 U.S.C. 1354(a), 1421 and 1423; 49 U.S.C. 106(g) (Revised, Pub. L. 97-449, January 12, 1983); and 14 CFR 11.89.

2. Section 39.13 is amended by adding the following new AD:

(16)

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APPENDIX 6. EXAMPLE OF FINAL RULE FOLLOWING TELEGRAPHIC  
OR PRIORITY LETTER AD (CONTINUED)

Compliance is required as indicated, unless already accomplished.

To prevent (17) , which could result in (18), accomplish the following:

(Insert text of AD)

[Instructions--if approval of incorporation by reference is involved, insert the following statement--The [repair and inspection procedures] shall be done in accordance with [Vega Service Bulletin No. 25, dated November 16, 1983]. This incorporation by reference was approved by the Director of the Federal Register in accordance with 5 U.S.C. 552(a) and 1 CFR Part 51. Copies may be obtained from [name and address of manufacturer]. Copies may be inspected at [insert issuing office name and address] or at the Office of the Federal Register, 1100 L Street, NW., Room 8301, Washington, DC.

This amendment becomes effective \_\_\_\_\_ (19) \_\_\_\_\_ as to all persons except those persons to whom it was made immediately effective by [telegraphic AD] [priority letter AD] (4), issued (9), which contained this amendment.

Issued in [city and State of directorate manager \_\_\_\_\_ (20) \_\_\_\_\_].

[Insert typed name of individual signing AD]  
[Acting] Manager, \_\_\_\_\_ (21) \_\_\_\_\_ Directorate  
Aircraft Certification Service

APPENDIX 6. EXAMPLE OF FINAL RULE FOLLOWING TELEGRAPHIC  
OR PRIORITY LETTER AD—INSTRUCTIONS

- (1) The docket number will be assigned by the accountable directorate's Assistant Chief Counsel.
- (2) The amendment number will be inserted by the accountable directorate's Assistant Chief Counsel after the AD is signed. The number is obtained from AWN-110.
- (3) Insert the TC or STC holder's or manufacturer's name and model of the product to which the AD applies, such as "Boeing Model 707 Series Airplanes" or "Teledyne Continental Model IO-520 Series Engines."
- (4) Insert the number of the telegraphic or priority letter AD.
- (5) Insert the TC or STC holder's or manufacturer's name of product to which the AD applies [same as (3) above].
- (6) State briefly exactly what the AD requires, such as "repetitive inspection and repair or replacement, as necessary, of the elevator hinge rib area" or "the installation of a placard prohibiting external load operations."
- (7) State briefly the unsafe condition, such as "an electrical wiring problem" or "failure of an aileron control rod tube sleeve."
- (8) State briefly the results of the unsafe condition so that a layman could understand, such as "...could prevent emergency release of the external load and cause the loss of the helicopter" or "...could cause aileron failure and consequent loss of control of the airplane."
- (9) Insert the date of issuance of the telegraphic or priority letter AD.
- (10) Insert the number of hours time-in-service or other limit allowed before compliance is required.
- (11) Insert any applicable addresses.
- (12) Insert the name, address, and phone number of the individual who is primarily responsible for originating the AD.
- (13) Insert the TC or STC holder's or manufacturer's name of product to which the AD applies [same as (3) above].
- (14) State briefly the requirements of the AD, such as "inspection of the horizontal stabilizer for cracks and repair, as necessary," or "modification of the gearbox oil pump and repetitive inspections of the gearbox magnetic chip detector."

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APPENDIX 6. EXAMPLE OF FINAL RULE FOLLOWING TELEGRAPHIC  
OR PRIORITY LETTER AD--INSTRUCTIONS (CONTINUED)

(15) Briefly summarize the problem found and the possible result should the problem go uncorrected. For example, "incorrect wiring of the electrical circuits of the external load hook emergency release that could prevent emergency release of an external load, which could cause the loss of the helicopter."

(16) Insert the TC or STC holder's or manufacturer's name of the product to which the AD applies in capital letters. When the product was issued a TC or an STC, the current TC or STC holder(s) name should be followed by previous TC or STC holder(s) names in parentheses. Enter applicable models, serial numbers, and any information necessary to identify the product to which the AD applies. For example: ASTRO AEROSPACE: Applies Aerospace Model Z29A series helicopters, certificated in any categories, equipped with P/N 12345 main rotor blades.

(17) State briefly the unsafe condition which the AD will prevent, such as "the possible inability to release an external load" or "possible failure of the outboard and center elevator hinge ribs and associated structure of the horizontal stabilizer...."

(18) State briefly the result of the unsafe condition, such as "...could result in loss of the airplane."

(19) Date will be inserted by the accountable directorate's Assistant Chief Counsel.

(20) Date will be inserted by directorate manager's office when signed.

(21) Insert the directorate title.

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Appendix 7

APPENDIX 7. EXAMPLE OF TELEGRAPHIC AD

FAA WASHINGTON, DC  
AIR-100, ATTN: AIR-107

EMERGENCY DISTRIBUTION BY TELEGRAM IS REQUIRED.

SEND TO [OWNERS AND OPERATORS] OF [IDENTIFY AERONAUTICAL PRODUCT].

THIS EMERGENCY TELEGRAPHIC AIRWORTHINESS DIRECTIVE (AD) NO. [INSERT AD NO.],  
APPLICABLE TO [IDENTIFY AERONAUTICAL PRODUCT, MODEL, SERIES, SERIAL  
NUMBERS, ETC.] IS EFFECTIVE IMMEDIATELY UPON RECEIPT OF THIS TELEGRAM  
BECAUSE OF [POSSIBLE FAILURE OF THE MAIN ROTOR BLADE SPINDLE SHEAR BEARING  
INNER RACES]. THIS AD REQUIRES [INSPECTION OF THE MAIN ROTOR BLADE SPINDLE  
FOR CRACKS, USING A FLUORESCENT PENETRANT INSPECTION, AND REPLACEMENT OF THE  
SPINDLE IF CRACKS ARE FOUND.]

PURSUANT TO THE AUTHORITY OF THE FEDERAL AVIATION ACT OF 1958, DELEGATED TO  
ME BY THE ADMINISTRATOR, THE FOLLOWING TELEGRAPHIC AD [INSERT AD NO.] IS  
ISSUED AND IS EFFECTIVE IMMEDIATELY UPON RECEIPT.

QUOTE: APPLIES TO [IDENTIFY AERONAUTICAL PRODUCT, MODEL, SERIES, SERIAL  
NUMBERS] CERTIFICATED IN [ANY CATEGORY—IDENTIFY TYPE AND AIRWORTHINESS  
CERTIFICATION CATEGORY].

COMPLIANCE REQUIRED AS INDICATED, UNLESS ALREADY ACCOMPLISHED.

TO PREVENT THE [FAILURE OF MAIN ROTOR BLADE SPINDLE SHEAR BEARING INNER  
RACES AND A POSSIBLE CRACKED MAIN ROTOR BLADE SPINDLE], ACCOMPLISH THE  
FOLLOWING:

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APPENDIX 7. EXAMPLE OF TELEGRAPHIC AD (CONTINUED)

(A) [WITHIN THE NEXT 5 HOURS TIME-IN-SERVICE AFTER RECEIPT OF THIS TELEGRAPHIC AD, REMOVE AND INSPECT THE MAIN ROTOR BLADE SPINDLE, P/N 10-112, FOR CRACKS USING A FLUORESCENT PENETRANT INSPECTION IN ACCORDANCE WITH [INCLUDE THE MANUFACTURER'S NAME, SERVICE BULLETIN NUMBER, REVISION NUMBER [IF APPROPRIATE], AND THE DATE OF THE SERVICE BULLETIN.]

(B) [IF A CRACK IS FOUND, BEFORE FURTHER FLIGHT, REPLACE THE SPINDLE, P/N 10-112, WITH A SERVICEABLE PART THAT HAS BEEN INSPECTED IN ACCORDANCE WITH THE ABOVE PROCEDURE.]

(C) [IF NO INDICATION OF A CRACK IS FOUND, REINSTALL THE SPINDLE.]

(D) [REPORT DEFECTS FOUND TO THE [MANAGER, COGNIZANT AIRCRAFT CERTIFICATION OFFICE] WITHIN [STATE WHEN THE REPORT MUST BE SUBMITTED] DAYS OF THE INSPECTION. (REPORTING APPROVED BY THE OFFICE OF MANAGEMENT AND BUDGET UNDER OMB. NO. 2120-0056.))]

(E) [AN ALTERNATE METHOD OF COMPLIANCE OR ADJUSTMENT OF THE COMPLIANCE TIME WHICH PROVIDES AN EQUIVALENT LEVEL OF SAFETY, MAY BE APPROVED BY THE [MANAGER, COGNIZANT AIRCRAFT CERTIFICATION OFFICE.]]  
FOR FURTHER INFORMATION CONTACT: [INSERT NAME OF INDIVIDUAL TO BE CONTACTED, ORGANIZATION ADDRESS, AND COMMERCIAL TELEPHONE NUMBER.]  
UNQUOTE.

ISSUED IN [CITY AND STATE] on [DATE].

[ACTING] MANAGER  
[ISSUING DIRECTORATE]  
AIRCRAFT CERTIFICATION SERVICE



APPENDIX 7. EXAMPLE OF TELEGRAPHIC AD—INSTRUCTIONS1. GENERAL.

a. An emergency AD to be distributed by telegram may be sent to the distributing office by either telegraphic message or facsimile transmission.

b. The following major subject areas must be included in AD's prepared for issuance as a telegram: Routing information, distribution instructions, a lead-in paragraph, authority for issuance, effective date, summary of reason for issuance, body of the AD, signature, and place and date of issuance.

c. Optional paragraphs which may be included are: Request for reports and special flight permits.

2. ROUTING INFORMATION.

Send to: FAA Washington, DC  
AIR-100, Attn: AIR-107

3. DISTRIBUTION INSTRUCTIONS. Emergency distribution by telegram is required. Send to all owners and operators of [identify aeronautical product].

4. LEAD-IN PARAGRAPH. A paragraph is required at the beginning of the telegram which should state that the message is an emergency telegraphic AD, contain the telegraphic AD number, and summarize the essential elements of the AD. The lead-in paragraph should be limited in length to less than 200 words, or 20 lines.

5. AUTHORITY. Include one of the following statements:

a. When Issuing a New AD.

"Pursuant to the authority of the Federal Aviation Act of 1958, delegated to me by the Administrator, the following telegraphic Airworthiness Directive (AD) [insert AD No.] is issued and is effective immediately upon receipt."

b. When Issuing an Amendment to an AD.

"Pursuant to the authority of the Federal Aviation Act of 1958, delegated to me by the Administrator, the following telegraphic Airworthiness Directive (AD) [insert AD No., including revision No.] which amends [insert initial AD No.] is issued and is effective immediately upon receipt."

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APPENDIX 7. EXAMPLE OF TELEGRAPHIC AD--INSTRUCTIONS (CONTINUED)

6. EFFECTIVE DATE. Indicate when the AD becomes effective; i.e., "This emergency telegraphic airworthiness directive (AD)...is effective immediately upon receipt."
7. SUMMARY. Briefly describe the following:
  - a. The action required.
  - b. The circumstances which created the need for the action.
  - c. The intended effects of the action.
7. BODY OF THE AIRWORTHINESS DIRECTIVE. See pages 1 and 2 of this appendix for example of AD text.
8. REPORTS OF INSPECTIONS. A report will be required for all emergency rules which impose an inspection requirement for which it is necessary to know the results of the inspection. When reports are required, include the following information:
  - a. Identify a specific office and address to receive the reports.
  - b. Outline what the report must contain.
  - c. State when the report is to be submitted.
  - d. Include the statement showing the OMB approval reporting number.
9. SPECIAL FLIGHT PERMITS. Identify the regulatory basis for issuance of the special permit or the office authorized to grant permission to fly the aircraft to a place where the required action can be accomplished.
10. FOR FURTHER INFORMATION CONTACT. Identify the individual to be contacted by name, organization address, and commercial telephone number.
11. PLACE AND DATE OF ISSUANCE. Include the following statement with brackets omitted: "Issued in [insert city and State], on [date]."
12. SIGNATURE AUTHORITY. The document must be signed by the directorate manager or someone acting in that capacity. The document may not be signed "for" the authorized official. The signature line should appear as follows:  
  
[Insert typed name of individual signing AD under signature]  
[Acting] Manager, [directorate title] Directorate  
Aircraft Certification Service

APPENDIX 8. EXAMPLE OF PRIORITY LETTER AD

To: Mike Monroney Aeronautical Center  
Attn: Manager, Engineering and Manufacturing Branch, AVN-110

Emergency distribution by priority letter is required.

Send to [owners and operators] of [identify the the aeronautical product, model, series, and serial number].

Pursuant to the authority of the Federal Aviation Act of 1958, delegated to me by the Administrator, the following priority letter Airworthiness Directive (AD) No. [insert AD No.] applicable to [identify aeronautical product, model, series, and serial numbers] is issued [insert date of issue] and is effective immediately upon receipt.

This AD is necessary [because of failure of the main rotor blade spindle shear bearing inner races]. The AD requires [inspection of the main rotor blade spindles for cracks, using a fluorescent penetrant inspection, and replacement of the spindle if cracks are found].

[TYPE CERTIFICATE HOLDER'S NAME IN ALL CAPS.] Applies to [identify the aeronautical product, model, series, and serial numbers] certificated in [any category—identify the type and airworthiness certification category].

Compliance required within [10 hours time-in-service after receipt of this AD] OR [if complex compliance time is involved—Compliance required as indicated, unless already accomplished].

To prevent the [failure of main rotor blade spindle shear bearing inner races and a possible cracked main rotor blade spindle], accomplish the following:

(a) [Within the next 10 hours time-in-service after receipt of this AD, remove and inspect the main rotor blade spindle, P/N 10-112, for cracks using a fluorescent penetrant inspection in accordance with [include the manufacturer's name, service bulletin number, revision number [if appropriate], and the date of the service bulletin.]

(b) [If a crack is found, before further flight, replace the spindle, P/N 10-112, with a serviceable part that has been inspected in accordance with the above procedure.]

(c) [If no indication of a crack is found, reinstall the spindle.]

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APPENDIX 8. EXAMPLE OF PRIORITY LETTER AD (CONTINUED)

(d) [Report defects found to the [manager, cognizant Aircraft Certification Office] within [state when the report must be submitted] days of the inspection. (Reporting approved by the Office of Management and Budget under OMB No. 2120-0056.)]

(e) An alternate method of compliance or adjustment of the compliance time, which provides an equivalent level of safety, may be approved by the [manager, cognizant Aircraft Certification Office.]

FOR FURTHER INFORMATION CONTACT: [Insert name of individual to be contacted, organization, address, and commercial telephone number.]

Issued in [city and State] on [date].

[Acting] Manager,  
[Issuing Directorate]  
Aircraft Certification Service

APPENDIX 8. EXAMPLE OF PRIORITY LETTER AD--INSTRUCTIONS1. GENERAL.

a. An emergency AD to be distributed by priority letter may be sent to the distributing office by telegraphic message or by facsimile transmission.

b. The following major subject areas must be included in AD's prepared for issuance by priority letter: routing information, distribution instructions, authority for issuance, effective date, summary of reason for issuance, body of the AD, signature, and place and date of issuance.

c. Optional paragraphs which may be included are: request for reports and special flight permits.

2. ROUTING INFORMATION.

Send to: FAA Mike Monroney Aeronautical Center  
Manager, Engineering and Manufacturing Branch, AEW-110

3. DISTRIBUTION INSTRUCTIONS. Emergency distribution by priority letter is required. Send to all owners and operators of [identify aeronautical product].

4. AUTHORITY. Include one of the following statements:a. When issuing a New AD.

"Pursuant to the authority of the Federal Aviation Act of 1958, delegated to me by the Administrator, the following priority letter Airworthiness Directive (AD) [insert AD No.] is issued [date] and is effective immediately upon receipt."

b. When Issuing an Amendment to an AD.

"Pursuant to the authority of the Federal Aviation Act of 1958, delegated to me by the Administrator, the following priority letter Airworthiness Directive (AD) [insert AD No., including revision No.] which amends [insert initial AD No.] is issued [date] and is effective immediately upon receipt."

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APPENDIX 8. EXAMPLE OF PRIORITY LETTER AD--INSTRUCTIONS (CONTINUED)

5. EFFECTIVE DATE. Indicate when the AD becomes effective; i.e., "This priority letter airworthiness directive (AD)...is effective immediately upon receipt."
6. SUMMARY. Briefly describe the following:
  - a. The action required.
  - b. The circumstances which created the need for the action.
  - c. The intended effects of the action.
7. BODY OF THE AIRWORTHINESS DIRECTIVE. See pages 1 and 2 of this appendix for example of AD text.
8. REPORTS OF INSPECTIONS. A report will be required for all emergency rules which impose an inspection requirement for which it is necessary to know the results of the inspection. When reports are required, include the following information:
  - a. The action required.
  - b. The circumstances which created the need for the action.
  - c. The intended effects of the action.
  - d. Include the statement showing the OMB approval reporting number.
9. SPECIAL FLIGHT PERMITS. Identify the regulatory basis for issuance of the special permit or the office authorized to grant permission to fly the aircraft to a place where the required action can be accomplished.
10. FOR FURTHER INFORMATION CONTACT. Identify the individual to be contacted by name, organization, address, and commercial telephone number.
11. PLACE AND DATE OF ISSUANCE. Include the following statement with brackets omitted: "Issued in [insert city and State], on [date]."
12. SIGNATURE AUTHORITY. The document must be signed by the directorate manager or someone acting in that capacity. The document may not be signed "for" the authorized official. The signature line should appear as follows:

[Insert typed name of individual signing AD under signature]  
[Acting] Manager, [directorate title] Directorate  
Aircraft Certification Service



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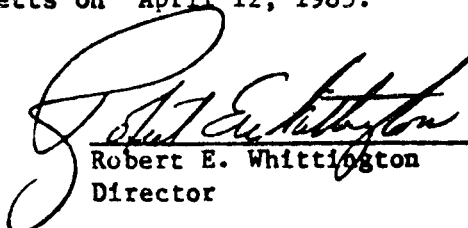
APPENDIX 9. EXAMPLE OF AD  
EXEMPTION (CONTINUED)

Exemption No. 85-ANE-001E

The Federal Aviation Administration (FAA) has determined that the accomplishment of maintenance in a repair shop as defined in the AD, which was previously accomplished on-wing within the scope of the aircraft maintenance manual, does not fall within the intent of a shop visit as defined in the AD. The compliance schedule of the AD was established on historic and projected shop visit rates which did not include the types of maintenance for which the exemption has been requested.

In consideration of the foregoing, I find that a grant of exemption would not adversely affect safety and is in the public interest. Therefore, pursuant to the authority contained in Sections 313(a) and 601(c) of the Federal Aviation Act of 1958, as amended, delegated to me by the Administrator, United Airlines, Inc. is hereby granted an exemption to the "next shop visit" requirements of AD 84-16-03, Amendment 39-4897 subject to the following condition. The exemption is applicable only to engine removals for which the maintenance could have been accomplished on-wing or at maintenance stations other than a "repair shop" as defined in the AD. Such maintenance must be in accordance with approved aircraft maintenance manual procedures and Federal Aviation Regulation (FAR) Part 121, Subpart L.

Issued in Burlington, Massachusetts on April 12, 1985.

  
Robert E. Whittington  
Director



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Appendix 10

APPENDIX 10. EXAMPLE OF AD  
EXECUTIVE SUMMARY

<b>AD EXECUTIVE SUMMARY</b>								
<b>PART 1</b>								
Docket Number:		Date:						
Originating ACO								
ACO Project Engineer:		Telephone Number:						
Product Type: <input type="checkbox"/> Airplane <input type="checkbox"/> Helicopter <input type="checkbox"/> Engine <input type="checkbox"/> Propeller <input type="checkbox"/> Sailplane <input type="checkbox"/> Appliance <input type="checkbox"/> TSO <input type="checkbox"/> Other								
Recommended Action: <input type="checkbox"/> NPRM <input type="checkbox"/> Immediate Adopted Rule <input type="checkbox"/> Emergency-Telephone AD <input type="checkbox"/> Emergency-Priority Letter								
Make:		Model:						
Background:								
Analysis of Problem:								
Corrective Action:								
<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 33%; padding: 5px;">Number of Occurrences:</td> <td style="width: 33%; padding: 5px;">No. of Aircraft Affected:</td> <td style="width: 33%; padding: 5px;">Manhours Required:</td> </tr> <tr> <td style="padding: 5px;">           Manufacturer Concur:  <input type="checkbox"/> Yes    <input type="checkbox"/> No         </td> <td style="padding: 5px;">           Service Instructions Available:  <input type="checkbox"/> Yes    <input type="checkbox"/> No         </td> <td style="padding: 5px;">           Can Compliance Time/Date be Adjusted?  <input type="checkbox"/> Yes    <input type="checkbox"/> No         </td> </tr> </table>			Number of Occurrences:	No. of Aircraft Affected:	Manhours Required:	Manufacturer Concur: <input type="checkbox"/> Yes <input type="checkbox"/> No	Service Instructions Available: <input type="checkbox"/> Yes <input type="checkbox"/> No	Can Compliance Time/Date be Adjusted? <input type="checkbox"/> Yes <input type="checkbox"/> No
Number of Occurrences:	No. of Aircraft Affected:	Manhours Required:						
Manufacturer Concur: <input type="checkbox"/> Yes <input type="checkbox"/> No	Service Instructions Available: <input type="checkbox"/> Yes <input type="checkbox"/> No	Can Compliance Time/Date be Adjusted? <input type="checkbox"/> Yes <input type="checkbox"/> No						
Replacement Parts Availability Consistent with Compliance Time: <input type="checkbox"/> Yes <input type="checkbox"/> No								
How Compliance Time/Date Established:								
Alternatives to AD Considered:								
Inflationary Impact Evaluation:								
Coordinated With:								
Other Remarks:								
<b>PART 2</b>								
This AD has the concurrence of the _____ Certification Directorate AD Review Board. It is their opinion that this AD does not constitute a major regulation within the scope of the Secretary's policies and procedures for simplification, analysis and review of regulations.								
AXX-100	Date	AXX-200						
		Date						
		AXX-7						
		Date						

FAA Form 8040-2 (5-87)

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**APPENDIX 11. EXAMPLE OF AD**  
**COORDINATION RECORD**

<b>AD COORDINATION RECORD</b>			
Project Number:		Docket Number:	
Make		Model	
Subject			
<b>PART 1 - ACO Preliminary Coordination</b>			
<b>Pre-Review Board</b>			
Organization Notified	Person Notified	Response	ACO Notifier
<b>Post-Review Board</b>			
Organization Notified	Person Notified	Response	ACO Notifier
Project Manager		Routing Symbol	Date
Comments:			
<b>PART 2 - Accountable Division Coordination</b>			
Organization Notified	Person Notified	Response	ACO Notifier
Distribution:			
<div style="display: flex; justify-content: space-between;"> <div> <input type="checkbox"/> AWS-1  <input type="checkbox"/> AWS-100  <input type="checkbox"/> Operating ACO </div> <div> <b>Presidential Fleet</b>  <input type="checkbox"/> Yes  <input type="checkbox"/> No </div> <div> <b>Other</b>  <input type="checkbox"/> </div> </div>			
Project Manager		Routing Symbol	Date
NOTES: All contacts with manufacturer should be coordinated with the responsible ACO.			